

Judiciary 2/27

FILED FEB 26 1975

Senate File 235  
Judiciary  
Willits, Chairman  
Ramsey  
Rodgers

SENATE FILE 235

By MILLER of Des Moines and  
HULTMAN  
(Byerly, Newhard, Schroeder  
and Clark)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act creating immunity from civil liability of persons serving  
2 on peer review committees.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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1 Section 1. Section one hundred forty-seven point one  
2 (147.1), Code 1975, is amended by adding the following new  
3 subsections:

4 NEW SUBSECTION. "Peer review" means evaluation of  
5 professional services rendered by a person licensed to practice  
6 a profession.

7 NEW SUBSECTION. "Peer review committee" means one or more  
8 persons acting in a peer review capacity who also serve as  
9 an officer, director, trustee, agent, or member of any of  
10 the following:

- 11 a. A state or local professional society of a profession
- 12 for which there is peer review.
- 13 b. Any organization approved to conduct peer review by
- 14 a society as designated in paragraph a of this subsection.
- 15 c. The medical staff of any licensed hospital.
- 16 d. An examining board.

17 Sec. 2. Chapter one hundred forty-seven (147), Code 1975,  
18 is amended by adding the following new section:

19 NEW SECTION. A person shall not be civilly liable as a  
20 result of acts, omissions, or decisions made in connection  
21 with the person's service on a peer review committee. However,  
22 such immunity from civil liability shall not apply if an act,  
23 omission, or decision is made with malice.

24 EXPLANATION

25 This bill grants civil immunity to persons while serving  
26 as a member of a peer review committee, as "committee" and  
27 "peer review" are defined in this bill, unless an act is  
28 conducted with malice.

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