AN ACT providing that certain expressions of apology, sympathy or
compassion are not admissible as evidence of liability or as an
admission against interest in malpractice claims against health care
providers.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) No oral or written statements, affirmation, gestures,
conduct or benevolent acts, including waiver of charges for medical care
provided, expressing apology, fault, sympathy, commiseration, condolence
or compassion, which are made by a health care provider or an employee
or agent of a health care provider concerning the outcome of medical care
rendered by such health care provider, shall be admissible as evidence of
an admission of liability or as evidence of an admission against interest in
any claim arising from the rendering of or failure to render medical or
health care by such health care provider.

(b) As used in this section "health care provider" has the meaning
prescribed in K.S.A. 65-4915, and amendments thereto.

Sec. 2. This act shall take effect and be in force from and after its
publication in the statute book.