

## 2018 Kansas Statutes

**40-3425. Fund not liable for certain claims.** (a) Notwithstanding any provision of article 34 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, to the contrary, the fund shall in no event be liable for any claim against a healthcare provider if:

- (1) The healthcare provider's liability for the incident giving rise to the claim is the result of professional services rendered as a charitable healthcare provider; or
  - (2) the healthcare provider's liability for the incident giving rise to the claim is covered under the federal tort claims act pursuant to chapter 171 of title 28 of the United States code.
- (b) This section shall be part of and supplemental to the healthcare provider insurance availability act.

**History:** L. 2017, ch. 35, § 1; July 1.