

90 without receiving remuneration or compensation; and [~~that in exchange for receiving~~
91 ~~uncompensated health care, the patient consents]~~

92 (ii) ~~H~~→ [that] ←~~H~~ the patient consented in writing to waive any right to sue for professional
93 negligence except for acts or omissions which are grossly negligent or are willful and wanton.

94 (4) A health care facility which sponsors, promotes, or organizes the uncompensated
95 care is not liable in a medical malpractice action for acts and omissions if:

96 (a) the health care facility meets the requirements in Subsection (3)(b);

97 (b) the acts and omissions of the health care facility were not grossly negligent or
98 willful and wanton; and

99 (c) the health care facility has posted, in a conspicuous place, a notice that in
100 accordance with this section the health care facility is not liable for any civil damages for acts
101 or omissions except for those acts or omissions that are grossly negligent or are willful and
102 wanton.

103 (5) A health care professional who provides health care treatment at a federally
104 qualified health center, as defined in Subsection 1905(1)(2)(b) of the Social Security Act, or an
105 Indian health clinic or Urban Indian Health Center, as defined in Title V of the Indian Health
106 Care Improvement Act, is not liable in a medical malpractice action if:

107 (a) the treatment was within the scope of the health care professional's license under
108 this title;

109 (b) the health care professional:

110 (i) does not receive compensation or remuneration for treatment provided to any
111 patient that the provider treats at the federally qualified health center, the Indian health clinic,
112 or the Urban Indian Health Center; and

113 (ii) is not eligible to be included in coverage under the Federal Tort Claims Act for the
114 treatment provided at the federally qualified health center, the Indian health clinic, or the Urban
115 Indian Health Center;

116 (c) the acts or omissions of the health care professional were not grossly negligent or
117 willful and wanton; and

118 (d) prior to rendering services:

119 (i) the health care professional disclosed in writing to the patient, or if a minor, to the
120 patient's parent or legal guardian, that the health care professional is providing the services