

S.B. 208

LIABILITY FOR PROVIDING SERVICES TO DISABLED ADULTS

SENATE FLOOR AMENDMENTS

AMENDMENT 2

MARCH 4, 2020 5:13 PM

Senator **Todd Weiler** proposes the following amendments:

1. Page 2, Lines 33 through 37:

33 (c) "Habilitative support service provider" means an entity under contract with the
34 Division of Services for People with Disabilities, created in Section 62A-5-102, to provide
35 habilitative support services to a high risk disabled adult {~~and all owners, operators, and~~
36 ~~employees of the entity or persons who contract with the entity to provide habilitative support~~
37 ~~services~~} .

2. Page 2, Lines 48 through 52:

48 (2) Except as provided in Subsection (3), {~~an entity~~} a habilitative support service provider
is ~~is~~ ~~→~~ ~~immune from suit~~ not
48a vicariously liable ~~←~~ ~~is~~ for damages or
49 injury arising out of or related to the actions or inactions of {~~a high risk disabled adult~~} an employee
or a person who contracts with the habilitative support service provider that occur
50 while the {~~entity~~} employee or person provides habilitative support services to {~~the~~} a
high risk disabled adult.
51 (3) This section does not prohibit an action against a person for damages or injury
52 intentionally caused by the person or resulting from the person's gross negligence.