

(2) Obtain or attempt to obtain a general release of liability from the patient; or

(3) Obtain or attempt to obtain any statement, either written or oral from the patient, for use in negotiating a settlement or obtaining a release.

(c) Any settlement agreement entered into or any general release of liability made by any individual who is confined in a hospital or sanitarium after the individual incurs a personal injury may not be used in evidence in any court action relating to the injury and may not be used for any purpose in any legal action in connection with the injury if the settlement agreement or release is obtained contrary to the provisions of subsection (b) of this section.

(d) A release executed by an individual who has sustained personal injuries does not discharge a subsequent tort-feasor:

(1) Who is not a party to the release; and

(2) (i) Whose responsibility for the individual's injuries is unknown at the time of execution of the release; or

(ii) Who is not specifically identified in the release.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any injury occurring before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2007.

Approved by the Governor, April 24, 2007.

CHAPTER 150

(Senate Bill 389)

AN ACT concerning

Civil Actions - Liability of Insurer - ~~Failure to Act in Good~~ Bad Failure to Act in Good Faith