311.962 Physician's liability limited.

(1) A physician shall not be subjected to disciplinary action by the State Board of Medical Licensure for prescribing or administering amygdalin (laetrile) to a patient under his care as an adjunct to recognized, customary or accepted modes of therapy in the treatment of any malignancy, disease, illness or physical condition, when the patient has signed a written informed request form and the physician has determined the patient to be terminally ill.

(2) A physician shall not be held liable for malpractice or negligence if it is determined that a patient died from lack of customary or accepted modes of therapy, including but not limited to surgery, chemotherapy, and radiation, when the patient elected to use amygdalin (laetrile) as the sole treatment and signed a written informed request form for this substance.

(3) A physician shall not be held liable for malpractice or negligence if it is determined that a patient's medical condition deteriorated from lack of customary or accepted modes of therapy including but not limited to surgery, chemotherapy, and radiation, when the patient elected to use amygdalin (laetrile) as the sole treatment and signed a written informed request form for this substance.

(4) Nothing herein shall be interpreted as an attempt to relieve physicians of liability for negligence or malpractice in the treatment of their patients under the standards established by KRS 311.595.

Effective: July 15, 1980

History: Created 1980 Ky. Acts ch. 354, secs. 9 and 14, effective July 15, 1980.