

tissue. Notification shall be the responsibility of the agency responsible for procuring skin, organs, or other donated tissue.

- (7) Prior to the transplant of an organ or artificial insemination, the institution or physician responsible for overseeing the procedure shall provide the prospective recipient information as to the risks of contracting human immunodeficiency virus.

(Enact. Acts 1990, ch. 443, § 41, effective July 13, 1990.)

Northern Kentucky Law Review. Braden, Aids: Dealing With the Plague, 19 N. Ky. L. Rev. 277 (1992).

311.282. Disclosure or failure to disclose confidential information under specified circumstances not to create civil or criminal liability.

- (1) A physician licensed pursuant to KRS Chapter 311 shall not be civilly or criminally liable for the disclosure of otherwise confidential information under the following circumstances:
- (a) If a patient of the physician has tested positive for human immunodeficiency virus discloses to the physician the identity of a spouse or sexual partner with whom the patient has cohabitated for more than one (1) year; and
 - (b) The physician recommends the patient notify the spouse or sexual partner of the positive test and refrain from engaging in sexual activity in a manner likely to transmit the virus and the patient refuses; and
 - (c) If, pursuant to a perceived civil duty or the ethical guidelines of the profession, the physician reasonably and in good faith advises the spouse of the patient or sexual partner with whom the patient has cohabitated for more than one (1) year of the positive test and facts concerning the transmission of the virus.
- (2) Notwithstanding the foregoing, a physician licensed pursuant to KRS Chapter 311 shall not be civilly or criminally liable for failure to disclose information relating to a positive test result for human immunodeficiency virus of a patient to a spouse.

(Enact. Acts 1990, ch. 443, § 47, effective July 13, 1990.)

Northern Kentucky Law Review. Braden, Aids: Dealing With the Plague, 19 N. Ky. L. Rev. 277 (1992).

311.285. Noncompetition clauses between health care providers declared against public policy and not enforceable if for one year or longer.

- (1) It is the finding of the General Assembly that the American Medical Association and Kentucky Medical Association have determined that agreements between health care providers that allow or encourage the enforcement of contractual provisions by which one (1) health care provider agrees not to compete against another health care provider or group of health care providers for a period of time upon the severance of any relationship between the health care providers is unethical. It is further the finding of the General Assembly that these agreements

serve to increase health care costs by creating a barrier in the physician and patient relationship which forces the patient to seek alternate care from another health care provider, even if the original treating provider remains in the community. It is therefore the finding of the General Assembly that these agreements are contrary to the public policy of the Commonwealth.

- (2) An agreement between health care providers that allows or encourages the enforcement of contractual provisions by which one (1) health care provider agrees not to compete against another health care provider or group of health care providers for a period of time upon the severance of any relationship between the health care providers shall be void as against public policy and not enforceable if the period of time is for **one (1) year or longer.**

(Enact. Acts 1994, ch. 512, § 118, effective July 15, 1994.)

REPEALED
1996

311.285 Repealed, 1996.

Catchline at repeal: Noncompetition clauses between health care providers declared against public policy and not enforceable if for one year or longer.

History: Repealed 1996 Ky. Acts ch. 371, sec. 64, effective July 15, 1996. -- Created 1994 Ky. Acts ch. 512, sec. 118, effective July 15, 1994.

until a bond has been given by the college. The bond shall be in the penal sum of one thousand dollars (\$1,000), with good personal security, and approved by the clerk of the county in which the college or school is situated, conditioned upon the lawful disposition of all dead bodies that come into the possession of the college, or any professor thereof. The bond shall be filed in the clerk's office, and renewed every twelve (12) months. For taking and approving the bond the clerk shall be entitled to a fee of one dollar (\$1.00).
(2648.)

311.320. Use of bodies.

No such body shall be used for any purpose other than the promotion of science in the college represented by the professor claiming it nor sold or removed from this state.
(2649.)

311.330. Re

Any superintendent of an unclaimed estate of the deceased friend or relative of the person shall be entitled to it under the will of the decedent. During the term of the body, without it for interment and students (2645, 2646.)

Any college record shall be kept at the college and be subject to inspection by the friend of any person in the possession of the age, sex, color, and possession of the body, together with the identification of the body.
(2650.)

311.352. Te

Compiler's Note: 1958, ch. 80, § 1, ch. 68, § 10.