

State by State Comparison Table – Healthcare Volunteer Liability Protection

Healthcare volunteers are crucial components of any preparedness plan, but some may be deterred from helping out in a crisis because they fear law suits afterwards.

This new table, which ties in with Indicator 6 of the Ready or Not 2007 report, offers details about the clarity or ambiguousness of healthcare volunteers' liability protection in every state. It was prepared for TFAH by George Washington University School of Public Health and Health Services researchers.

State Statutes Extending Qualified Immunity¹ Protections to Health Care Professionals² Who Furnish Emergency-Related Health Care (“√+”, “√L”, or “A”)³

State		Clear Immunity Statute Covering Health Care Professionals During Emergency	Ambiguous Immunity Statutes that May Possibly Cover Health Care Workers During Declared Emergencies
ALABAMA	√L	<p><u>AL ST 1975 § 6-5-332</u>: Covers a physician, dentist, nurse, EMT, medical intern or resident who in good faith and without compensation renders emergency care at the scene of an emergency.</p> <p><u>AL ST § 31-9-16</u>: Immunization of “emergency management workers” who, in good faith and without willful misconduct or gross negligence, perform emergency management services at any place in Alabama subject to the order or control of, or pursuant to a request of, the state government or any political subdivision thereof. Listed under the function of “emergency management” is the provision of medical and health services. No specific provision in statute related to designation process.</p>	
ALASKA	A	<p><u>A.S. § 09.65.090</u>: Covers any person who renders voluntary emergency care at any place (hospital or otherwise), except in cases of gross negligence or reckless or intentional misconduct.</p>	<p><u>AS 09.65.091</u>: Liability protection to any person who provides services during a declared state of emergency at the request of a governmental agency.</p>

¹ Qualified immunity denotes immunity from liability in the absence of gross negligence and/or willful and wanton conduct or intentional harm. Under tort principles, the burden of proof would be on the plaintiff to prove gross negligence or willful or wanton or intentional harm.

² Statutes may vary in terms of the classes of health professionals covered. Physicians are always covered. Dentists, nurses, chiropractors, optometric specialists, podiatric specialists may be covered. A few states cover any licensed health professional. States may also cover veterinary specialists.

³ A “√+” indicates a statute that both recognizes immunity for health care volunteers during emergencies and that also indicates the existence of some process for prospective designation of an immunized volunteer. A “√L” indicates a statute that recognizes immunity for health care volunteers during emergencies but does not indicate the existence of a prospective process for gaining a designation. An “A” indicates that the state statutes are either silent on the matter or sufficiently ambiguous so that the existence of such protections would depend on the interpretive guidelines or other authoritative legal ruling.

State		Clear Immunity Statute Covering Health Care Professionals During Emergency	Ambiguous Immunity Statutes that May Possibly Cover Health Care Workers During Declared Emergencies
ARIZONA	A	<u>A.R.S. § 32-1471</u> : Covers any licensed health care provider, or any other person who renders emergency care at a public gathering or at the scene of an emergency gratuitously and in good faith, except in cases of gross negligence.	. <u>ARS § 26-314</u> : Immunization of registered “emergency management workers” who in good faith and without willful misconduct or gross negligence, engage in emergency management activities
ARKANSAS	A	<u>A.C.A. § 17-95-101</u> : Covers licensed physicians, chiropractic physicians, dentists, optometric physicians, podiatric physicians, and any other licensed health care professionals who in good faith, render emergency care without compensation at the place of an emergency or accident, except in cases of gross negligence or willful misconduct.	<u>A.C.A. § 12-75-128</u> : Immunity for qualified and registered “emergency service workers” performing emergency preparedness activities at any place in Arkansas.
CALIFORNIA	√ L	<u>Ann. Cal. Bus. & Prof. Code § 2395</u> : Covers services furnished at the site of an emergency without expectation of compensation, in good faith, and without evidence of gross negligence or willful misconduct. <u>Cal. Gov. Code § 8659</u> : Additional liability coverage of physicians and surgeons, hospitals, pharmacists, nurses, and dentists who render services during any state of war emergency, a state of emergency, or a local emergency at the express or implied request of any responsible state or local official. This Immunity does not apply in the event of a willful act or omission. No specific provision for certification or registration.	
COLORADO	√+	<u>C.R.S.A. § 13-21-108</u> : Covers any physician or surgeon or any other person who, in good faith and without compensation, renders emergency care at the site of an emergency in good faith and without compensation, except in cases of gross negligence or willful or wanton misconduct <u>C.R.S.A. § 12-29.3-104</u> : Adoption of the Uniform Emergency Volunteer Health Practitioners Act, which adds special regulations applicable to the use of registered “volunteer health practitioners”. State has the	

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		power to define the “duration of practice” covered by a declared emergency, thereby extending immunity beyond emergency care rendered at an emergency site. Additionally, the statute establishes a specific registration system for volunteer health practitioners.	
CONNECTICUT	√+	<p>C.G.S. § 52-557b: Covers physicians, surgeons, dentists, nurses, medical technicians and any person trained in cardiopulmonary resuscitation or in the use of an automatic external defibrillator in accordance with the standards set forth by the American Red Cross or American Heart Association, who renders emergency care. This immunity does not extend to cases of gross, willful or wanton negligence.</p> <p>C.G.S. § 28-1: Liability protections for “civil preparedness forces” who, without willful misconduct, act in prevention or mitigation of a major disaster or emergency. “Civil preparedness activity” includes emergency medical and health services. “Civil preparedness forces” includes licensed emergency service workers (paramedics) and also members of the Connecticut Disaster Medical Assistance Team, the Medical Reserve Corps, and Connecticut behavioral health regional crisis response teams.</p>	
DELAWARE	A	<p>24 Del. C. § 1767: Covers any person certified to practice medicine under this chapter who, in good faith and without gross or wanton negligence, renders emergency care at the scene of an emergency.</p>	<p>20 Del. C. § 3201 et. seq.: Immunization of “emergency responders” and “support responders” who are authorized to / requested to respond to a declared emergency. “This chapter provides no immunity, rights or privileges for any individual responding to a state of emergency that is not requested and/or authorized to respond by a participating political subdivision or fire, rescue, or emergency medical service provider organization.” No specific mention of health care providers, but reference to licensed professionals who have skills that would be beneficial during an emergency. No specific designation process.</p>
DISTRICT OF COLUMBIA	√+	<p>DC ST § 7-401: Covers any person who renders emergency medical aid at the scene of an emergency and without expectation of</p>	

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		<p>compensation or evidence of gross negligence</p> <p><u>DC ST § 7-2304.01</u>: Additional liability for voluntary licensed health care providers during declared emergencies. A public health emergency executive order may request or appoint licensed health care providers to furnish services for the duration of the emergency. "Health care provider" means any person or entity who provides health care services, including hospitals, medical clinics and officers, special care facilities, medical laboratories, physicians, pharmacists, dentists, physician assistants, nurse practitioners, registered and other nurses, paramedics, emergency medical or laboratory technicians, and ambulance and emergency medical workers.</p>	
FLORIDA	A	<p><u>FL ST § 768.13</u>: Covers emergency care or treatment furnished without expectation of compensation, in good faith, and with reasonable prudence and without evidence of reckless disregard, when furnished either in direct response to an emergency situation arising out of a declared public health emergency or at the scene of an emergency. Care must be furnished without the objection of the injured person. Immunity extends to services furnished prior to stabilization.</p>	
GEORGIA	√ L	<p><u>O.C.G.A. § 51-1-29.1</u>: Covers licensed health care providers who, without compensation, render professional services voluntarily, and without evidence of gross negligence or willful and wanton misconduct, at the request of a state agency or a political subdivision.</p> <p><u>O.C.G.A. § 38-3-35</u>: Immunity for "volunteer emergency management workers" or "members of any agency engaged in emergency management activity" working to prevent, minimize, and repair injury and damage resulting from emergencies. The definition of emergency management contemplates "emergency medical services." No designation process specified.</p>	
HAWAII	√ L	<p><u>H.R.S. § 663-1.5</u>: Covers any person who in good faith renders emergency care, without compensation, at the scene of an accident or emergency, except in cases of gross</p>	

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		<p>negligence or wanton acts or omissions.</p> <p>HI ST §321-23.3: Additional statute extends liability protections to volunteer emergency medical disaster response personnel engaged in an emergency response to mass casualty events or disaster conditions, except in cases of willful misconduct. Immunity extends to “professional medical care under a mass casualty event or disaster condition.” No designation process specified</p> <p>“Volunteer emergency medical disaster response personnel” includes: Physicians, psychologists, nurses, emergency medical technicians, social workers and mobile intensive care technicians.</p>	
IDAHO	A	<p>I.C. § 5-330: Covers any person who in good faith provides emergency care after stopping at the scene of an accident, expect in cases of gross negligence.</p>	<p>I.C. § 46-1017: Immunity for state agents involved in civil defense, disaster or emergency work. No specific mention of healthcare providers.</p>
ILLINOIS	√L	<p>745 ILCS 49/25: Covers any physician who furnished emergency care in good faith and without expectation of compensation, except in cases of willful or wanton misconduct</p> <p>745 ILCS 49/68: Additional liability extends to “disaster relief volunteers” who in good faith and without expectation of compensation provide health care services, except in cases of willful and wanton misconduct. Immunity extends to 10 days following the end of a disaster or catastrophic event. No prospective designation process specified.</p> <p>“Disaster relief volunteers” include: physician, dentist, podiatrist, optometrist, pharmacist, advanced practice nurse, physician assistant, & nurse</p>	
INDIANA	√L	<p>IC 34-30-12: Covers any person who in good faith and without compensation renders emergency care at the scene of an emergency.</p> <p>IC 34-30-13.5-1: Additional liability protection during a declared emergency to persons licensed to provide healthcare services acting in response to the emergency. Person must be acting within the scope of license, but immunity shall be granted regardless of whether the provision of health care services occurred before or after the</p>	

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		declaration of a disaster emergency. No designation process specified.	
IOWA	√ +	<p><u><i>IA ST § 613.17</i></u>: Covers persons who in good faith and without evidence of recklessness render emergency care at the scene of an emergency (which includes workplace rescue) or accident or while victims are in transit or are being moved or care or assistance without compensation.</p> <p><u><i>IA ST §135.143</i></u>: Immunization of “public health response teams” who work to relieve overburdened local medical personnel at or near the site of a declared disaster. Members of these teams must be registered prior to the emergency and receive approval from the department to serve on a public health response team.</p>	
KANSAS	√ +	<p><u><i>K.S.A. 65-2891</i></u>: Covers any health care provider who in good faith and without expectation of compensation renders emergency care at the scene of an emergency, except in cases of gross negligence or willful or wanton misconduct. “Health care provider” means any person licensed to practice any branch of the healing arts, including: dentist, optometrist, nurse, podiatrist, pharmacist, physical therapist, physician assistant, athletic trainer, occupational therapist, respiratory therapist, any person who successfully completed a course in first aid offered or approved by the American Red Cross or American Heart Association.</p> <p><u><i>K.S.A. 48-915</i></u>: Immunization of members of emergency medical response teams during a declared state of disaster. Immunity does not extend to willful misconduct or gross negligence. No prospective designation process specified.</p>	
KENTUCKY	√ +	<p><u><i>KRS 411.148</i></u>: Covers licensed physicians, registered or practical nurses, certified EMTs, and persons certified by the American Heart Association or the American Red Cross to perform cardiopulmonary resuscitation, who render emergency care in good faith and without expectation of compensation at the</p>	

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		<p>scene of an emergency, except in cases of willful or wanton misconduct.</p> <p>KRS 39A.352: Additional liability protection to registered volunteer “health practitioners” who render health care services while an emergency declaration is in effect. “Health practitioner” is any person licensed to provide health services. Formal system to register trained emergency response, public health and medical personnel. During the declared emergency, government officials may confirm that volunteer health practitioners are registered and may then regulate the types of volunteer health practitioners who may practice, and the duration, scope and geographic location of that practice.</p>	
LOUISIANA	√L	<p>LSA-R.S. 37 § 1731: Covers physicians, surgeons, dentists, veterinarians, emergency medical technicians, physician assistants, and nurses who render emergency care in good faith and without expectation of compensation at the scene of an emergency, except in cases of willful or wanton misconduct or gross negligence.</p> <p>LSA-RS 29 §735.1 & LSA-RS 29 §735.2: Additional liability protections for “health care providers” who, in good faith and without expectation of compensation, render emergency care during a declared state of emergency anywhere in the state. This immunity does not extend to cases of gross negligence or willful misconduct. No prospective designation process specified.</p> <p>“Health care provider” means a clinic, person, corporation, facility, or institution which provides health care or professional services by a physician, dentist, registered or licensed practical nurse, pharmacist, optometrist, podiatrist, chiropractor, physical therapist, psychologist, or psychiatrist, and any officer, employee, or agent thereof acting in the course and scope of his service or employment.</p>	
MAINE	√+	<p>32 M.R.S.A. § 2594: A licensed osteopathic physician who, in the exercise of due care, renders emergency care at the scene of an accident, is not liable for any civil damages as the result of acts or omissions by such an individual in rendering emergency care.</p>	

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		<p><u>24 M.R.S. §2904</u>: Additional liability protection for healthcare practitioners who, without expectation of compensation, render emergency care to support the State’s response to a public health threat, an extreme public health emergency or a disaster. This immunity does not cover cases of gross negligence or willfull, wanton or reckless action.</p> <p>Under the statute, “health care practitioner” means physicians and all others certified, registered or licensed in the healing arts, including, but not limited to, nurses, podiatrists, optometrists, chiropractors, physical therapists, dentists, psychologists and physicians' assistants.</p>	
MARYLAND	A	<p><u>MD CTS & JUD PRO § 5-603</u>: Covers any individual licensed by the state to provide medical care who renders emergency care at the scene of an emergency, without expectation of compensation, except in cases of gross negligence.</p>	<p><u>§ 14-109</u>: Some liability protection to “personnel” of local organizations for emergency management. Unclear definition of “personnel” or “emergency management” and no specific mention of health care providers.</p>
MASSACHUSETTS	A	<p><u>112:12B</u> Covers physicians, physician assistants, and nurses who in good faith and without expectation of compensation render emergency care at the scene of an emergency.</p>	
MICHIGAN	√+	<p><u>M.C.L.A. § 691.1501</u>: Covers a physician, physician's assistant, registered professional nurse, or licensed practical nurse who in good faith renders emergency care without compensation at the scene of an emergency, except acts or omissions amounting to gross negligence or willful and wanton misconduct.</p> <p><u>M.C.L.A. § 30.411</u>: Immunizes “disaster relief forces” who render services during a declared state of disaster. In the absence of willful or gross negligence, any person licensed to practice medicine who renders services during a state of disaster declared by the governor, is considered an authorized disaster relief worker or facility and is not liable for an injury. The statute extends to protect: Physician, surgeon, registered nurse, practical nurse, nursing student acting under the supervision of a licensed nurse, dentist, veterinarian, pharmacist, pharmacist intern acting under the supervision of a licensed</p>	

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		<p>pharmacist, paramedic, medical resident undergoing training in a licensed hospital in this or another state.</p> <p>During a state of disaster, any of these authorized professionals may practice, in addition to the authority granted by other statutes of this state, the administration of anesthetics; minor surgery; intravenous, subcutaneous, or intramuscular procedure; or oral and topical medication; or a combination of these under the supervision of a member of the medical staff of a licensed hospital of this state, and may assist the staff member in other medical and surgical proceedings.</p>	
MINNESOTA	√+	<p><u>§ 604A.01</u>: Covers any person who, without expectation of compensation, renders emergency care at the scene of an emergency except in cases where responder acts in a willful and wanton or reckless manner.</p> <p><u>§ 12.61</u>: During a declared emergency, “responders” are immune from civil liability when they render emergency services consistent with emergency plans, in good faith and without willful or wanton actions. “Responder” includes: Physicians, physician assistants, registered and other nurses, certified nursing assistants, or other staff within a health care provider organization, pharmacists, chiropractors, dentists, emergency medical technicians, members of a specialized medical response unit, laboratory technicians, morticians, registered first responders, mental health professionals, hospitals, nursing and boarding care facilities, home health care agencies, other long-term care providers, medical and dental clinics, medical laboratories, and ambulance service personnel, dispatch services.</p>	
MISSISSIPPI	A	<p><u>Miss. Code Ann. § 73-25-37</u>: Covers any licensed physician, dentist, nurse, or emergency medical technician who in good faith renders emergency care at the scene of an emergency, except in cases of gross negligence or willful or wanton misconduct.</p>	<p><u>Miss. Code Ann. § 33-15-21</u>: Liability protections for persons engaged in emergency management activities, except in the case of willful misconduct. No specific mention of health care providers.</p>
MISSOURI	√ +	<p><u>V.A.M.S. 537.037</u>: Covers any physician, surgeon, registered professional nurse or licensed practical nurse, and any person licensed as a mobile emergency medical technician, who in good faith renders</p>	

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		<p>emergency care or assistance, without compensation, at the scene of an emergency or accident. Immunity does not extend to cases of gross negligence or willful or wanton action.</p> <p>V.A.M.S. § 44.045: Additional law provides that “Subject to approval by the state emergency management agency during an emergency declared by the governor or state legislature, any health care professional licensed, registered, or certified in this state who volunteers to be so deployed may be deployed to provide care as necessitated by the emergency.”</p>	
MONTANA	A	<p>MCA 27-1-714: Covers a physician, surgeon and any other person who in good faith and without expectation of compensation, renders emergency care at the scene of an emergency, except in cases of gross negligence, or willful or wanton action.</p>	<p>MCA § 10-3-111: Immunity of volunteer civilian defense workers engaged in “civilian defense activity” during a disaster or emergency. No clear definition of civilian defense worker and no mention of health care providers.</p>
NEBRASKA	√+	<p>Neb. Rev. St. § 25-21,186: Covers any person who, without expectation of compensation, renders emergency care at the scene of an emergency.</p> <p>Neb. Rev. St. § 81-829.55: Immunization of authorized “emergency management workers” who in good faith engage in “emergency management services” pursuant to compacts/agreements for assistance. Immunity does not extend to cases of gross negligence or willful misconduct. “Medical and health services” are listed as important emergency management functions.</p>	
NEVADA	A	<p>NRS 41.500: Covers any person who, without expectation of compensation, renders emergency care at the scene of an emergency, except in cases of gross negligence.</p>	<p>NRS 414.110: Immunization of “workers” conducting emergency management activities. No definition of such workers.</p>
NEW HAMPSHIRE	√+	<p>N.H. Rev. Stat. § 329:25: Protects persons authorized to practice medicine against liability when such practitioners, in good faith and without expectation of compensation, provide emergency care at the scene of an emergency.</p> <p>N.H. Rev. Stat. 21-P:41: Immunization of “emergency management workers” who in</p>	

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		<p>good faith comply with the provisions and orders of the Division of Emergency Services.</p> <p>“Emergency Management Worker” includes dentists, registered nurses, student nurses undergoing training at a licensed hospital in this state, and emergency medical care providers. During the declared emergency, such emergency workers may, “in addition to the authority granted them by other statutes, administration of anesthetics; minor surgery; intravenous, subcutaneous, and intramuscular procedures; and oral and topical medication under the general but not necessarily direct supervision of a member of the medical staff of a legally incorporated and licensed hospital of this state, and to assist such staff members in other medical and surgical procedures.</p>	
NEW JERSEY	√+	<p><u>2A:62A-1.3</u>: Covers health care professionals who, in good faith and without expectation of compensation, provide emergency care (including care rendered in a hospital or health care center), except in cases of gross negligence, recklessness or willful misconduct. In this section, “health care professional” means physician, dentist, nurse or other health care professional.</p> <p><u>26:13-6</u>: Additional immunity protections for volunteer healthcare workers. The health commissioner may create an “Emergency Health Care Provider Registry” of health care workers, public health workers and support services personnel who voluntarily consent to provide health care, public health services and support logistics during a public health emergency. The commissioner may provide training and ID cards for those registered under this system, and when a public health emergency is declared by the governor, the commissioner may direct these workers to the scene of the emergency.</p>	
NEW MEXICO	A	<p><u>§ 24-10-3</u>: Covers any person who, without expectation of compensation, renders emergency care at the scene of an emergency, except in cases of gross negligence.</p>	<p><u>§ 12-10B-7</u> & <u>§ 12-10-13</u>: Immunization of persons who hold a professional license and who are requested to perform such duties under their licensure during an emergency or disaster. No specific mention of health care providers nor definition of types of licenses applicable.</p>
NEW YORK	√+	<p><u>NY PBH § 3000-a</u> & <u>NY EDUC § 6547</u>: Covers any person who, without expectation</p>	

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		<p>of compensation, renders emergency care at the scene of an emergency, except in cases of gross negligence. Specific mention of physician, dentist, nurse, physical therapist and registered physician's assistant.</p> <p><u>NYDEA § 113</u>: Liability protections of authorized “volunteer agencies” performing “civil defense services” pursuant to an agreement or compact for aid. Volunteer agencies include uncompensated “emergency medical units and other medical forces.”</p>	
NORTH CAROLINA	√+	<p><u>§ 90-21.14</u>: Covers volunteer medical or health care providers who in good faith and without compensation renders emergency care at the scene on an emergency, except in cases of gross negligence, wanton conduct or intentional wrongdoing</p> <p><u>§ 166A-1 et. seq.</u> Immunization of designated “emergency management workers” who in good faith engage in “emergency management services,” pursuant to a request of the state government or any political subdivision.</p> <p>Term “emergency management worker” includes healthcare workers performing health care services as a member of a designated hospital-based or county-based medical assistance team. Also, during declared emergencies, state and local municipalities may waive medical licensing requirements “to permit the provision of emergency health services to the public.”</p>	
NORTH DAKOTA	A	<p><u>32-03.1 et seq.</u> Covers any person who in good faith renders emergency care at the scene on an emergency, except in cases of intentional misconduct or gross negligence. Physicians and Surgeons may collect reasonable fees for emergency actions.</p>	<p><u>37-17.1-16</u>: Immunization of “disaster of emergency worker” who in good faith perform “disaster or emergency responsibilities” or duties pursuant to a request of the state government or any political subdivision, except in cases of willful misconduct of gross negligence. No mention of health care providers.</p>
OHIO	A	<p><u>R.C. § 2305.23</u>: Covers any person who in good faith renders emergency care at the scene on an emergency and without expectation of compensation, except in cases willful or wanton misconduct.</p>	<p><u>R.C. § 5502.30</u>: Liability protections for authorized “emergency management volunteers” who in good faith engage in “emergency management services,” except in cases of willful misconduct.</p> <p>“Emergency management” definition is broad: “includes all emergency preparedness and civil defense activities and</p>

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			measures.” However, no specific reference to health care providers and prospective designation process.
OKLAHOMA	A	<u>76 Okl. St. Ann. § 5</u> : Covers any person licensed to practice any method of treatment of human ailments, disease, pain, injury, deformity, mental or physical condition, or licensed to render services ancillary thereto, including licensed registered and practical nurses who in good faith render emergency care at the scene of an emergency and without expectation of compensation, except in cases of gross negligence or willful and wanton misconduct.	<u>76 Okl. St. Ann. § 63-695.2</u> : Immunization of “emergency responders” when the services of the emergency responder is specifically requested/authorized by the local jurisdiction. Definition of “emergency responder” references persons in the private sector with specialized skills that would be beneficial during an emergency, but no specific reference to health care providers.
OREGON	√ +	<u>O.R.S. § 30.800</u> : Covers physicians and dentists who in good faith and without compensation provide emergency care at any place where medical or dental care is <u>not</u> ordinarily provided (hospital, first-aid station, physician office). Liability coverage does not extend to actions of gross negligence. <u>O.R.S. § 401.515</u> : Immunization of “emergency service workers” who, in good faith and without compensation, attempt to carry out the Emergency Services and Communications provisions during a declared emergency. Emergency service workers must either be a registered volunteer or must independently volunteer through the Office of Emergency Management. Emergency Services under this act include, without limitation, medical and health services.	
PENNSYLVANIA	√ L	<u>42 Pa.C.S.A. § 8331</u> : Covers physicians, practitioners of the healing arts and registered nurses who in good faith render emergency care at the scene of an emergency, except for “any acts or omissions intentionally designed to harm or any grossly negligent acts or omissions which result in harm to the person receiving emergency care.” <u>35 Pa. C.S.A. § 7704</u> : Liability protections to individuals who in good faith engage in “emergency services activities,” except in cases of willful misconduct or gross negligence. “Medical and health services” identified as an “emergency services” function, but no prospective designation	

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		process specified.	
RHODE ISLAND	A	<p><u>Gen. Laws 1956, §§ 5-29-27, 5-31.1-34, 5-54-20.1, 5-34-34, 9-1-27.1</u>: Covers any person who in good faith renders emergency care at the scene of an emergency and without expectation of compensation, except in cases of willful, wanton or reckless action. These statutes make specific reference to Podiatrists, Nurses, Physician Assistants, Dentists & Dental Hygienists as receiving immunity for emergency care provided.</p>	<p><u>Gen. Laws 1956, § 30-15-15</u>: Immunization of volunteer “disaster response workers” who in good faith comply with the Rhode Island Emergency Management Act, except in cases in willful misconduct, gross negligence. No specific reference to health care providers and no clear discussion of how to become qualified as a “disaster response worker.”</p>
SOUTH CAROLINA	√+	<p><u>Code 1976 § 38-79-30</u>: Covers licensed health care providers who in good faith render emergency care without expectation of compensation, except in cases gross negligence or willful misconduct. “health care provider” is broad enough to include: physicians, surgeons, directors, officers, and trustees of hospitals; nurses; oral surgeons; dentists; pharmacists; chiropractors; optometrists; podiatrists; hospitals; nursing homes; or any similar category of licensed health care providers.</p> <p><u>Code 1976 § 44-4-570</u>: During the length of a public health emergency, the Dept of Health and/or Dept of Labor can order licensed health care providers to assist in the emergency. Any health care provider appointed pursuant to this section who in good faith performs the assigned duties is not liable for any civil damages, except acts or omissions amounting to gross negligence or willful or wanton misconduct.</p> <p>“Health care provider” is broad enough to include: hospitals, medical clinics and offices, special care facilities, medical laboratories, pharmacists, dentists, physician assistants, nurse practitioners, registered and other nurses, paramedics, firefighters, emergency medical or laboratory technicians, and ambulance and emergency medical workers.</p>	
SOUTH DAKOTA	√L	<p><u>§ 20-9-4.1</u>: Covers any person who in good faith renders emergency care at the scene of an emergency and without expectation of compensation, except in cases of willful, wanton or reckless action.</p> <p><u>§ 33-15-18</u>: & <u>§ 33-15-1</u>: Immunization of “emergency service workers” during</p>	

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		emergencies. Mentions “medical and health services” as part of duty of the emergency service worker, but no specific mention of health care professionals and no prospective designation process identified.	
TENNESSEE	√+	<p><u>T.C.A. § 63-6-218</u>: Covers any person, including licensed physicians and surgeons, who in good faith renders emergency care at the scene of an accident, emergency or disaster, and without expectation of compensation, except in cases of gross negligence</p> <p><u>T.C.A. § 58-2-107</u>: Additional liability coverage for voluntary health care providers (including hospitals) who are registered participants in the emergency management assistance compact, who provide health care services in response to a declared emergency. Care must be provided in good faith, within the scope of the provider’s license and without expectation of compensation, and immunity does not extend to actions of gross negligence or willful misconduct.</p> <p>If additional medical resources are required, then the governor may provide limited liability protection to other health care providers (including hospitals) who render services within the limits of their license, except in cases of gross negligence or willful misconduct.</p> <p>Any liability protections shall not exceed 30 days (but this period may be extended by the governor).</p>	
TEXAS	A	<p><u>Tex. Civ. Prac. & Rem. Code Ann. § 74.151</u>: Covers any person who in good faith renders emergency care at the scene of an emergency and without expectation of compensation, except in cases of willful or wanton negligence.</p>	
UTAH	√L	<p><u>U.C.A. § 78-11-22</u>: General act covers person who in good faith engages in emergency care at the scene of an emergency and without expectation of compensation. Immunity here extends to persons who assist governmental bodies in responding to declared public health emergencies, bioterrorism and epidemics.</p>	

State		Clear Immunity Statute Covering Health Care Professionals During Emergency	Ambiguous Immunity Statutes that May Possibly Cover Health Care Workers During Declared Emergencies
		<p>U.C.A. § 58-13-2: Additional liability protection for “health care professionals” who in good faith render emergency care within the scope of their professional license and without expectation of compensation during a declared public health emergency, or while trying to control an epidemic, communicable disease or bioterrorism. No prospective designation process specified.</p> <p>“Health care professional” is defined broadly to include: physician and surgeon, osteopathic physician, naturopathic physician, dentist or dental hygienist, chiropractor, physician assistant, optometrist, nurse, podiatrist, certified nurse midwife, respiratory care practitioner; pharmacist, pharmacy technician, and pharmacy intern, and direct-entry midwife.</p>	
VERMONT	A	<p>12 V.S.A. § 519: Covers any person who provides reasonable assistance to others in an emergency and without expectation of compensation, except in cases of gross negligence.</p>	<p>20 V.S.A. § 20: Individuals involved in emergency management activities have civil immunity</p>
VIRGINIA	√L	<p>Va. Code Ann. § 8.01-225: Covers any person who in good faith renders emergency care at the scene of an emergency and without expectation of compensation, except in cases of willful or wanton misconduct.</p> <p>Va. Code Ann. § 8.01-225.01: Extends liability protections to “health care providers” who, in the absence of gross negligence or willful misconduct, render health care services during a <i>man-made</i> disaster. A state or local emergency must have been declared for the immunity to take effect. No prospective designation process identified</p> <p>“Health Care Providers” is defined broadly to include: physician, hospital, dentist, pharmacist, registered nurse or licensed practical nurse, optometrist, podiatrist, chiropractor, physical therapist, physical therapy assistant, clinical psychologist, clinical social worker, professional counselor, licensed marriage and family therapist, licensed dental hygienist, health maintenance organization, or emergency medical care attendant or technician who provides services on a fee basis.</p> <p>“Man-Made” Disaster includes: enemy attack,</p>	<p>Va. Code § 44-146.23: Possible extension of immunity during <i>natural</i> disaster. Except in the case of willful misconduct, immunity provided for persons engaging in “emergency service activities.” Additionally, persons holding a professional license may gratuitously render aid involving their professional skills to meet a disaster. No specific provisions or definitions of health care providers under this statute.</p>

State		Clear Immunity Statute Covering Health Care Professionals During Emergency	Ambiguous Immunity Statutes that May Possibly Cover Health Care Workers During Declared Emergencies
		terrorism, chemical or biological war-fare, industrial or nuclear accident, explosions, power failure, oil spills etc.	
WASHINGTON STATE	A	<u>RCW 4.24.300</u> : Covers a “volunteer provider of emergency or medical services” who in good faith renders emergency care at the scene of an emergency and without expectation of compensation, except in cases of willful or wanton misconduct. Immunity does not extend to professionals rendering emergency care during the course of regular employment.	<u>RCW 38.52.570</u> : “Covered volunteers” engaging in “covered activities” have civil immunity during emergency/disaster. Covered volunteers are emergency workers who are registered and have an identification card and persons who hold a retired volunteer medical worker license. No specific language pertaining to non-retired health care workers; vague language regarding what such “covered activities” entail.
WEST VIRGINIA	√L	<u>W. Va. Code, § 55-7-15</u> : Covers persons licensed to practice medicine or dentistry who in good faith render emergency care at the scene of an accident, without expectation of compensation. <u>W. Va. Code, § 15-5-11</u> : Immunization of “duly qualified emergency service workers” during emergencies. Mentions “medical and health services” as part of duty of emergency service workers. No prospective designation process specified.	
WISCONSIN	A	<u>W.S.A. 895.48</u> : Covers a health care professional who in good faith renders emergency care at the scene of an emergency and without expectation of compensation, except in cases of willful or wanton misconduct. Immunity does not extend to health care professionals acting within the scope of usual and customary employment.	<u>W.S.A. 895.483</u> : Members of “emergency response teams” are immune from liability during emergencies – no specific language pertaining to healthcare professionals and no prospective designation process specified..
WYOMING	A	<u>W.S. 1977 § 1-1-120</u> : Covers any physician, surgeon or any other person who furnishes emergency care in good faith and without expectation of compensation.	<u>W.S. 1977 § 19-13-113</u> : Immunization of “authorized homeland security workers” during declared emergencies – alludes to those with “professional licenses” but no specific language incorporating health care professionals.