

TFAH Liability Protections
Relevant Statutes

State	Citation(s)	Statute(s)	Note
Alabama (AL)	Ala. Code § 31-9-16 (LexisNexis 2008)	<p>Ala. Code § 31-9-16</p> <p>(a) All functions under this article and all other activities relating to emergency management are hereby declared to be governmental functions.</p> <p>(b) Neither the state nor any political subdivision thereof nor other agencies of the state or political subdivisions thereof, nor, except in cases of willful misconduct, gross negligence or bad faith, any emergency management worker, individual, partnership, association or corporation complying with or reasonably attempting to comply with this article or any order, rule or regulation promulgated pursuant to the provisions of this article or pursuant to any ordinance relating to blackout or other precautionary measures enacted by any political subdivision of the state, shall be liable for the death of or injury to persons, or for damage to property, as a result of any such activity. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this article or under the Worker's Compensation Law or under any pension law, nor the right of any such person to receive any benefits or compensation under any act of Congress.</p> <p>(c) Any requirement for a license to practice any professional, mechanical or other skill shall not apply to any authorized emergency management worker who shall, in the course of performing his duties as such, practice such professional, mechanical or other skill during an emergency management emergency.</p> <p>(d) As used in this section, the term "emergency management worker" shall include any full- or part-time paid, volunteer or auxiliary employee of this state, or other states, territories, possessions or the District of Columbia, of the federal government, of any neighboring county or of any political subdivision thereof, or of any agency or organization performing emergency management services at any place in this state subject to the order or control of, or pursuant to, a request of, the state government or any political subdivision thereof.</p> <p>(e) Any emergency management worker, as defined in this section, performing emergency management services at any place in this state</p>	AL Emergency Management Act of 1955, Governmental Functions – Liability

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		pursuant to agreements, compacts or arrangements for mutual aid and assistance to which the state or a political subdivision thereof is a party, shall possess the same powers, duties, immunities and privileges he would ordinarily possess if performing his duties in the state, province or political subdivision thereof in which normally employed or rendering services.	
	Ala. Code § 6-5-336 (LexisNexis 2008)	<p>(a) This section shall be known as "The Volunteer Service Act."</p> <p>(b) The Legislature finds and declares that:</p> <p>(1) The willingness of volunteers to offer their services has been increasingly deterred by a perception that they put personal assets at risk in the event of tort actions seeking damages arising from their activities as volunteers;</p> <p>(2) The contributions of programs, activities, and services to communities is diminished and worthwhile programs, activities, and services are deterred by the unwillingness of volunteers to serve either as volunteers or as officers, directors, or trustees of nonprofit public and private organizations;</p> <p>(3) The provisions of this section are intended to encourage volunteers to contribute their services for the good of their communities and at the same time provide a reasonable basis for redress of claims which may arise relating to those services.</p> <p>(c) For the purposes of this section, the meaning of the terms specified shall be as follows:</p> <p>(1) GOVERNMENTAL ENTITY. Any county, municipality, township, school district, chartered unit, or subdivision, governmental unit, other special district, similar entity, or any association, authority, board, commission, division, office, officer, task force, or other agency of any state;</p> <p>(2) NONPROFIT CORPORATION. Any corporation which is exempt from taxation pursuant to Section 501(a) of the Internal Revenue Code, 26 U.S.C. Section 501(a);</p> <p>(3) NONPROFIT ORGANIZATION. Any organization which is exempt from taxation pursuant to Section 501(c) of the Internal Revenue Code, 26 U.S.C. Section 501(c), as amended;</p> <p>(4) VOLUNTEER. A person performing services for a nonprofit organization, a nonprofit corporation, a hospital, or a governmental entity without compensation, other than reimbursement for actual expenses incurred. The term includes a volunteer serving as a director, officer, trustee, or direct service volunteer.</p> <p>(d) Any volunteer shall be immune from civil liability in any action on</p>	Volunteer Service Act

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		<p>the basis of any act or omission of a volunteer resulting in damage or injury if:</p> <p>(1) The volunteer was acting in good faith and within the scope of such volunteer's official functions and duties for a nonprofit organization, a nonprofit corporation, hospital, or a governmental entity; and</p> <p>(2) The damage or injury was not caused by willful or wanton misconduct by such volunteer.</p> <p>(e) In any suit against a nonprofit organization, nonprofit corporation, or a hospital for civil damages based upon the negligent act or omission of a volunteer, proof of such act or omission shall be sufficient to establish the responsibility of the organization therefor under the doctrine of "respondeat superior," notwithstanding the immunity granted to the volunteer with respect to any act or omission included under subsection (d).</p>	
	Ala. Code § 31-9-17 (LexisNexis 2008)	Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege , or otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual disaster or an actual, impending, mock or practice attack, shall, together with his successors in interest, if any, not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises, or for the loss of, or damage to, the property of such person.	Rendering shelter liability
	Ala. Code § 6-5-332(a), (c), (e) (LexisNexis 2008)	<p>(a) When any doctor of medicine or dentistry, nurse, member of any organized rescue squad, member of any police or fire department, member of any organized volunteer fire department, Alabama-licensed emergency medical technician, intern or resident practicing in an Alabama hospital with training programs approved by the American Medical Association, Alabama state trooper, medical aidman functioning as a part of the military assistance to safety and traffic program, chiropractor, or public education employee gratuitously and in good faith, renders first aid or emergency care at the scene of an accident, casualty, or disaster to a person injured therein, he or she shall not be liable for any civil damages as a result of his or her acts or omissions in rendering first aid or emergency care, nor shall he or she be liable for any civil damages as a result of any act or failure to act to provide or arrange for further medical treatment or care for the injured person.</p> <p>(c) When any physician gratuitously advises medical personnel at the</p>	Good Samaritan statute

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		<p>scene of an emergency episode by direct voice contact, to render medical assistance based upon information received by voice or biotelemetry equipment, the actions ordered taken by the physician to sustain life or reduce disability shall not be considered liable when the actions are within the established medical procedures.</p> <p>(e) A person or entity, who in good faith and without compensation renders emergency care or treatment to a person suffering or appearing to suffer from cardiac arrest, which may include the use of an automated external defibrillator, shall be immune from civil liability for any personal injury as a result of care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as an ordinary prudent person would have acted under the same or similar circumstances, except damages that may result from the gross negligence of the person rendering emergency care. This immunity shall extend to the licensed physician or medical authority who is involved in automated external defibrillator site placement, the person who provides training in CPR and the use of the automated external defibrillator, and the person or entity responsible for the site where the automated external defibrillator is located. This subsection specifically excludes from the provision of immunity any designers, manufacturers, or sellers of automated external defibrillators for any claims that may be brought against such entities based upon current Alabama law.</p>	
	Ala. Code § 6-5-332.1 (LexisNexis 2008)	<p>(a) As used in this section, the following words and terms shall have meanings ascribed to them by this section</p> <p>(1) DISCHARGE. Includes leakage, seepage, or other release.</p> <p>(2) HAZARDOUS MATERIALS. Includes all materials and substances which are now or hereafter designated or defined as hazardous by any state or federal law or by the regulations of any state or federal government agency.</p> <p>(3) PERSON. Includes any qualified individual, partnership, corporation, association, or other entity. A qualified individual is one who is trained in the handling of hazardous materials.</p> <p>(b) Notwithstanding any provision of law to the contrary, no person who provides assistance or advice in mitigating or attempting to mitigate the effects of an actual or threatened discharge of hazardous materials, or in preventing, cleaning up, or disposing of, or in attempting to prevent, clean up or dispose of any such discharge, shall be subject to civil liabilities or penalties of any type.</p>	

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		<p>(c) The immunities provided in subsection (b) of this section shall not apply to any person:</p> <p>(1) Whose act or omission proximately caused, in whole or in part, the original actual or threatening discharge, or</p> <p>(2) Who receives compensation other than reimbursement for out-of-pocket expenses for its services in rendering such assistance or advice.</p> <p>(d) Nothing in subsection (b) of this section shall be construed to limit or otherwise affect the liability of any person for damages resulting from such person's gross negligence, or from such person's reckless, wanton, or intentional misconduct.</p> <p>(e) The provisions of this section shall be construed in pari materia with all laws or parts of laws providing protection from civil liability, or granting immunity, for persons performing other acts of public assistance or rescue.</p>	
Alaska (AL)	Alaska Stat. § 09.65.090, 091 (2008)	<p>Alaska Stat. § 09.65.090</p> <p>(a) A person at a hospital or any other location who renders emergency care or emergency counseling to an injured, ill, or emotionally distraught person who reasonably appears to the person rendering the aid to be in immediate need of emergency aid in order to avoid serious harm or death is not liable for civil damages as a result of an act or omission in rendering emergency aid.</p> <p>(b) A member of an organization that exists for the purpose of providing emergency services is not liable for civil damages for injury to a person that results from an act or omission in providing first aid, search, rescue, or other emergency services to the person, regardless of whether the member is under a preexisting duty to render assistance, if the member provided the service while acting as a volunteer member of the organization; in this subsection, "volunteer" means a person who is paid not more than \$ 10 a day and a total of not more than \$ 500 a year, not including ski lift tickets and reimbursement for expenses actually incurred, for providing emergency services.</p> <p>(c) The immunity provided under (b) of this section does not apply to civil damages that result from providing or attempting to provide any of the following advanced life support techniques <i>unless</i> the person who provided them was authorized by law to provide them:</p> <p>(1) manual electric cardiac defibrillation;</p> <p>(2) administration of antiarrhythmic agents;</p> <p>(3) intravenous therapy;</p>	Civil liability for emergency aid

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		<p>(4) intramuscular therapy; or (5) use of endotracheal intubation devices.</p> <p>(d) This section does not preclude liability for civil damages as a result of gross negligence or reckless or intentional misconduct.</p> <p>Alaska Stat. § 09.65.091 (a) A person who provides equipment or services on the request of a police agency, fire department, rescue or emergency squad, or other governmental agency during a state of emergency declared by an authorized representative of the state or local government is not liable for the death of or injury to any person or damage to any property caused by that person's actions, except when the trier of facts finds that the person acted intentionally, recklessly, or with gross negligence.</p> <p>(b) This section does not affect the right of a person to receive benefits to which the person would otherwise be entitled under the workers' compensation law or under any pension law, nor does it affect entitlement to any other benefits or compensation authorized by state or federal law.</p>	
	Alaska Stat. § 09.65.300 (2008)	<p>(a) Except as otherwise provided in this section, a health care provider who provides health care services to another person is not liable for civil damages resulting from an act or omission in providing the health care services if the health care</p> <p>(1) provider is licensed in this state to provide health care services; (2) services provided were within the scope of the health care provider's license; (3) services were provided at a medical clinic, medical facility, nonprofit facility, temporary emergency site, or other facility owned or operated by a governmental entity or nonprofit organization and the health care provider was acting within the scope of the provider's responsibilities in the medical clinic, governmental entity, or nonprofit organization; (4) services were provided voluntarily and without pay to the health care provider for the services, except as provided in (b)(2) and (3) of this section; and (5) provider</p> <p>(A) obtains informed consent from the person receiving the health care services as described under AS 09.55.556, except in the case of an emergency; and (B) provides the person receiving the health care services advance written</p>	Good Samaritan – Immunity for providing free health care services

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		<p>notice of the immunity provided under this section to a health care provider when providing voluntary health care services as described under this section.</p> <p>(b) This section does not preclude</p> <p>(1) liability for civil damages that are the result of gross negligence or reckless or intentional misconduct;</p> <p>(2) a health care provider from receiving payment or being reimbursed for expenses, including travel and room and board while providing voluntary services;</p> <p>(3) a medical clinic or facility from charging for its services.</p> <p>(c) In this section,</p> <p>(1) "health care provider" means a state licensed physician, physician assistant, dentist, dental hygienist, osteopath, optometrist, chiropractor, registered nurse, practical nurse, nurse midwife, advanced nurse practitioner, naturopath, physical therapist, occupational therapist, marital and family therapist, psychologist, psychological associate, licensed clinical social worker, or certified direct-entry midwife;</p> <p>(2) "health care services" means services received by an individual in order to treat or to prevent illness or injury;</p> <p>(3) "nonprofit organization" means an organization that qualifies for exemption from taxation under 26 U.S.C. 501(c)(3) or (4) (Internal Revenue Code).</p>	
Arizona (AZ)	<p>Ariz. Rev. Stat. § 12-982(a), (b) (LexisNexis 2008)</p>	<p>A. A volunteer is immune from civil liability in any action based on an act or omission of a volunteer resulting in damage or injury if:</p> <p>1. The volunteer acted in good faith and within the scope of the volunteer's official functions and duties for a nonprofit corporation or nonprofit organization, hospital or governmental entity.</p> <p>2. The damage or injury was not caused by wilful, wanton or grossly negligent misconduct by the volunteer.</p> <p>B. Notwithstanding subsection A of this section, in any suit against a nonprofit corporation or nonprofit organization, hospital or governmental entity for civil damages based on the negligent act or omission of a volunteer, proof that the act or omission was within the scope of the volunteer's official functions and duties is sufficient to establish the vicarious liability, if any, of the organization.</p>	<p>Qualified immunity; insurance coverage (Where the state is a party)</p> <p>Vicarious Liability for parent organization</p>
	<p>Ariz. Rev. Stat. § 26-301 (LexisNexis 2008)</p>	<p>In this chapter, unless the context otherwise requires:</p> <p>...</p> <p>5. "Emergency functions" includes warning and communications services, relocation of persons from stricken areas, radiological defense, temporary restoration of utilities, plant protection, transportation, welfare,</p>	Definitions

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		<p>public works and engineering, search or rescue, health and medical services, law enforcement, fire fighting, mass care, resource support, urban search or rescue, hazardous materials, food and energy information and planning and other activities necessary or incidental thereto.</p> <p>6. "Emergency management" means the preparedness, response, recovery and mitigation activities necessary to respond to and recover from disasters, emergencies or contingencies.</p> <p>7. "Emergency worker" means any person who is registered, whether temporary or permanent, paid or volunteer, with a local or state emergency management organization and certified by the local or state emergency management organization for the purpose of engaging in authorized emergency management activities or performing emergency functions, or who is an officer, agent or employee of this state or a political subdivision of this state and who is called on to perform or support emergency management activities or perform emergency functions.</p>	
	<p>Ariz. Rev. Stat. § 26-314 (LexisNexis 2008)</p>	<p>A. This state and its departments, agencies, boards, commissions and all other political subdivisions are not liable for any claim based upon the exercise or performance, or the failure to exercise or perform, a discretionary function or duty by any emergency worker, excepting wilful misconduct, gross negligence or bad faith of any such emergency worker, in engaging in emergency management activities or performing emergency functions pursuant to this chapter or title 36, chapter 6, article 9.</p> <p>B. The immunities from liability, exemptions from laws, ordinances and rules, all pensions, relief, disability workers' compensation and other benefits that apply to the activity of officers, agents, employees or emergency workers of this state or of any political subdivision when performing their respective functions within this state or the territorial limits of their respective political subdivisions apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extraterritorially under this chapter or title 36, chapter 6, article 9, excepting wilful misconduct, gross negligence or bad faith.</p> <p>C. Emergency workers engaging in emergency management activities or emergency functions under this chapter or title 36, chapter 6, article 9, in carrying out, complying with or attempting to comply with any order or rule issued under this chapter, title 36, chapter 6, article 9 or any local ordinance, or performing any of their authorized functions or duties or training for the performance of their authorized functions or duties, shall have the same degree of responsibility for their actions, and enjoy the</p>	<p>Immunity of state, political subdivisions and officers, agents and emergency workers; limitation; rules</p>

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		<p>same immunities and disability workers' compensation benefits as officers, agents and employees of the state and its political subdivisions performing similar work. This state and its departments, agencies, boards and commissions and all other political subdivisions that supervise or control emergency workers engaging in emergency management activities or emergency functions under this chapter or title 36, chapter 6, article 9 are responsible for providing for liability coverage, including legal defense, of an emergency worker if necessary. Coverage is provided if the emergency worker is acting within the course and scope of assigned duties and is engaged in an authorized activity, except for actions of wilful misconduct, gross negligence or bad faith.</p> <p>D. No other state or its officers, agents, emergency workers or employees rendering aid in this state pursuant to any interstate mutual aid arrangement, agreement or compact are liable on account of any act or omission in good faith on the part of such state or its officers, agents, emergency workers or employees while so engaged, or on account of the maintenance or use of any equipment or supplies in connection with an emergency.</p> <p>E. The division shall adopt rules prescribing the procedures for registration of emergency workers.</p>	
	Ariz. Rev. Stat. § 26-353 (LexisNexis 2008)	A licensed, certified or authorized emergency responder and its employees at the scene of an emergency , when the emergency response is provided in good faith, have the immunities provided in section 26-314 in carrying out the provisions of this article. The immunities provided by section 26-314 also apply to governmental entities, multi-jurisdictional planning organizations that encompass each district, members of each local emergency planning committee and their support personnel in carrying out the provisions of this article.	Emergency response; immunity
	Ariz. Rev. Stat. § 32-1471 (LexisNexis 2008)	Any health care provider licensed or certified to practice as such in this state or elsewhere, or a licensed ambulance attendant, driver or pilot as defined in section 41-1831, or any other person who renders emergency care at a public gathering or at the scene of an emergency occurrence gratuitously and in good faith shall not be liable for any civil or other damages as the result of any act or omission by such person rendering the emergency care, or as the result of any act or failure to act to provide or arrange for further medical treatment or care for the injured persons, unless such person, while rendering such emergency care, is guilty of gross	<ol style="list-style-type: none"> 1. Professions and Occupations – Medicine and Surgery – Emergency Aid 2. Health care provider and any other person;

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		negligence.	emergency aid; nonliability
Arkansas (AR)	Ark. Code Ann. § 12-75-128, 129 (2008)	<p>Ark. Code Ann. § 12-75-128</p> <p>(a) All functions under this chapter and all other activities relating to emergency services are declared to be governmental functions.</p> <p>(b) No emergency responder, except in cases of willful misconduct, gross negligence, or bad faith, when complying with or reasonably attempting to comply with this chapter, or any other rule or regulation promulgated pursuant to the provisions of this section or pursuant to any ordinance relating to blackout or other precautionary measures enacted by any political subdivision of the state, shall be liable for the death of or injury to persons, or for damage to property, as a result of any such activity.</p> <p>(c) The immunity in subsection (b) of this section shall extend to both emergency responders who are employees and to qualified emergency responders who are volunteers.</p> <p>(d) The provisions of this section shall not affect the right of any person to receive benefits to which he or she would otherwise be entitled to under this chapter, under the Workers' Compensation Law, § 11-9-101 et seq., or under the retirement system laws of Arkansas nor the right of any such person to receive any benefits or compensation under any act of Congress.</p> <p>(e)</p> <p>(1) Any requirement for a license to practice any professional, mechanical, or other skill shall not apply to any authorized emergency service worker who shall, in the course of performing his or her duties as such, practice such professional, mechanical, or other skill during an emergency.</p> <p>(2) However, subdivision (e)(1) of this section shall not apply to required medical licenses except in cases of first aid treatment.</p> <p>(f) As used in this chapter, the term "emergency responder" shall include those persons qualified under § 12-75-103 and any full-time or part-time paid, volunteer, or auxiliary employees of this state or other states, territories, possessions, or the District of Columbia, the federal government, any neighboring country, or any political subdivision thereof, or of any agency or organization performing emergency preparedness services at any place in this state subject to the order or control of, or pursuant to, a request of the state government or any political subdivision thereof.</p>	Emergency responders -- Immunities and exemptions

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		<p>(g) Any emergency responder performing emergency preparedness services at any place in this state pursuant to agreements, compacts, or arrangements for mutual aid and assistance, to which the state or a political subdivision of the state is a party, shall possess the same powers, duties, immunities, and privileges he or she would ordinarily possess if performing his or her duties in the state, province, or political subdivision of the state or province in which normally employed or rendering services.</p> <p>Ark. Code Ann. § 12-75-129</p> <p>(a) (1) Benefits payable for the injury or death of persons appointed and regularly enrolled in accredited emergency management organizations and covered by this chapter, while actually engaged in emergency management duties either during training or during a period of emergency and subject to the order or control of or pursuant to a request of and under the supervision and instruction of the Governor, the Arkansas Department of Emergency Management, the chief executive or the designated director of a department, or a county of an accredited local government unit making use of emergency management volunteer workers shall be limited to the provisions of the Workers' Compensation Law, § 11-9-101 et seq., if such persons are regularly employed by a local government or the State of Arkansas.</p> <p>(2) If such person is a qualified emergency responder of the State of Arkansas or a local office for emergency management, recovery shall be limited as provided in this section.</p> <p>(b) The remedy provided in this section shall be the exclusive remedy as against the state and political subdivisions thereof.</p> <p>(c) (1) For the purpose of workers' compensation coverage in cases of injury to or death of an individual, all duly qualified emergency responders shall be deemed local government or state employees and shall receive compensation, and their survivors shall receive death benefits in like manner as regular local government or state employees for injury or death arising out of and in the course of their activities as emergency responders.</p> <p>(2) If an emergency responder is injured or killed while subject to the order or control of a local government, compensation and benefits shall be charged against the applicable local government's experience rate and paid from the appropriate state workers' compensation fund.</p> <p>(3) If the emergency responder was under the order or control of a state</p>	

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		<p>agency when injured or killed, compensation and benefits shall be charged against the experience rate of the state agency who exercised order or control at the time of injury or death and paid from the appropriate state workers' compensation fund.</p> <p>(d) (1) For the purpose of subsection (c) of this section, the weekly compensation benefits for such emergency responders who receive no monetary compensation for services rendered as such workers shall be calculated based upon the wages received from their regular or usual employments, the same as a regular local or state employee, with respect to injury, disability, or death.</p> <p>(2) The reimbursement per day for approved out-of-pocket expenses incurred in response to an emergency situation, such as gasoline, oil, uniforms, and required equipment, etc., shall not be construed as monetary compensation for the volunteer worker.</p> <p>(e) (1) In the event that any person who is entitled to receive benefits through the application of subsection (c) of this section receives, in connection with the injury, disability, or death giving rise to such entitlement, benefits under an act of Congress or federal program providing benefits for emergency responders or their survivors, then the benefits payable under this section shall be reduced to the extent of the benefits received under such other act or program.</p> <p>(2) Any person who performs the duties of a member or trainee as an adjunct to his or her regular employment and who otherwise would be entitled to receive workers' compensation benefits for his or her injury, disability, or death, if injured in the performance of such duties, shall be deemed to have been injured, disabled, or killed in the course of his or her regular employment.</p> <p>(f) An emergency responder shall be deemed duly registered and qualified when he or she is a member of and has on file in either a local emergency management office or in the Arkansas Department of Emergency Management the following information:</p> <ul style="list-style-type: none"> (1) Name and address; (2) Date enrolled; and (3) Class of service assigned. <p>(g) Payments and death and disability benefits as provided in this section shall be made from the Workers' Compensation Revolving Fund for state employees.</p>	

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	Ark. Code Ann. § 16-120-401 (2008)	Any person or entity who, at the request of any city, county, or state agency, supplies specialized equipment or personnel in response to an emergency shall not be liable for any civil damages for good faith acts or omissions, provided that the services or equipment was provided without compensation and at the place of the emergency.	
	Ark. Code Ann. § 17-95-101 (2008)	<p>(a) Any health care professional under the laws of the State of Arkansas who in good faith lends emergency care or assistance without compensation at the place of an emergency or accident shall not be liable for any civil damages for acts or omissions performed in good faith so long as any act or omission resulting from the rendering of emergency assistance or services was not grossly negligent or willful misconduct.</p> <p>(b) Any person who is not a health care professional who is present at an emergency or accident scene and who:</p> <p>(1) Believes that the life, health, and safety of an injured person or a person who is under imminent threat of danger could be aided by reasonable and accessible emergency procedures under the circumstances existing at the scene thereof; and</p> <p>(2) Proceeds to lend emergency assistance or service in a manner calculated in good faith to lessen or remove the immediate threat to the life, health, or safety of such a person, shall not be held liable in civil damages in any action in this state for any act or omission resulting from the rendering of emergency assistance or services unless the act or omission was not in good faith and was the result of gross negligence or willful misconduct.</p> <p>(c) No health care professional who in good faith and without compensation renders voluntary emergency assistance to a participant in a school athletic event or contest at the site thereof or during transportation to a health care facility for an injury suffered in the course of the event or contest shall be liable for any civil damages as a result of any acts or omissions by that health care professional in rendering the emergency care. The immunity granted by this subsection shall not apply in the event of an act or omission constituting gross negligence.</p> <p>(d) For the purposes of this section, "health care professional" means a licensed physician, chiropractic physician, dentist, optometric physician, podiatric physician, and any other licensed health care professional.</p>	Good Samaritan law
	Ark. Code Ann. § 20-13-1305 (2008)	(a) Any person or entity that in good faith and without compensation renders emergency care or treatment by the use of an automated external defibrillator is immune from civil liability for any personal injury	Automated external defibrillator use and tort immunity

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		<p>as a result of the care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment if the person acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances.</p> <p>(b) The immunity from civil liability for any personal injury under subsection (a) of this section includes:</p> <p>(1) A physician or medical facility that is involved with automated external defibrillator placement;</p> <p>(2) Any person or entity that provides cardiopulmonary resuscitation and automated external defibrillator training to the person or entity acquiring an automated external defibrillator; and</p> <p>(3) The person or entity responsible for the location where the automated external defibrillator is located or used.</p> <p>(c) The immunity from civil liability under subsection (a) of this section does not apply if the personal injury results from the gross negligence or willful or wanton misconduct of the person rendering the emergency care.</p> <p>(d) The requirements of § 20-13-1304 do not apply to any individual using an automated external defibrillator in an emergency setting if that individual is acting as a "Good Samaritan" under the provisions of either § 17-95-101 or § 17-95-106.</p>	
California (CA)	Cal. Gov. Code §§ 8657, 8659 (Deering 2008)	<p>Cal. Gov. Code § 8657</p> <p>(a) Volunteers duly enrolled or registered with the Office of Emergency Services or any disaster council of any political subdivision, or unregistered persons duly impressed into service during a state of war emergency, a state of emergency, or a local emergency, in carrying out, complying with, or attempting to comply with, any order or regulation issued or promulgated pursuant to the provisions of this chapter or any local ordinance, or performing any of their authorized functions or duties or training for the performance of their authorized functions or duties, shall have the same degree of responsibility for their actions and enjoy the same immunities as officers and employees of the state and its political subdivisions performing similar work for their respective entities.</p> <p>(b) No political subdivision or other public agency under any circumstances, nor the officers, employees, agents, or duly enrolled or registered volunteers thereof, or unregistered persons duly impressed into service during a state of war emergency, a state of emergency, or a local</p>	California Emergency Services Act - Health care providers rendering emergency aid immune from liability; Exception

State	Citation(s)	Statute(s)	Note
		<p>emergency, acting within the scope of their official duties under this chapter or any local ordinance shall be liable for personal injury or property damage sustained by any duly enrolled or registered volunteer engaged in or training for emergency preparedness or relief activity, or by any unregistered person duly impressed into service during a state of war emergency, a state of emergency, or a local emergency and engaged in such service. The foregoing shall not affect the right of any such person to receive benefits or compensation which may be specifically provided by the provisions of any federal or state statute nor shall it affect the right of any person to recover under the terms of any policy of insurance.</p> <p>(c) The California Earthquake Prediction Evaluation Council, an advisory committee established pursuant to Section 8590 of this chapter, may advise the Governor of the existence of an earthquake or volcanic prediction having scientific validity. In its review, hearings, deliberations, or other validation procedures, members of the council, jointly and severally, shall have the same degree of responsibility for their actions and enjoy the same immunities as officers and employees of the state and its political subdivisions engaged in similar work in their respective entities. Any person making a presentation to the council as part of the council's validation process, including presentation of a prediction for validation, shall be deemed a member of the council until the council has found the prediction to have or not have scientific validity.</p> <p>Cal. Gov. Code § 8659 Any physician or surgeon (whether licensed in this state or any other state), hospital, pharmacist, nurse, or dentist who renders 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 or agency shall have no liability for any injury sustained by any person by reason of such services, regardless of how or under what circumstances or by what cause such injuries are sustained; provided, however, that the immunity herein granted shall not apply in the event of a willful act or omission.</p>	

State	Citation(s)	Statute(s)	Note
	Cal. Bus. & Prof. Code § 2395 (Deering 2008)	<p>No licensee, who in good faith renders emergency care at the scene of an emergency, shall be liable for any civil damages as a result of any acts or omissions by such person in rendering the emergency care.</p> <p>"The scene of an emergency" as used in this section shall include, but not be limited to, the emergency rooms of hospitals in the event of a medical disaster. "Medical disaster" means a duly proclaimed state of emergency or local emergency declared pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code).</p> <p>Acts or omissions exempted from liability pursuant to this section shall include those acts or omissions which occur after the declaration of a medical disaster and those which occurred prior to such declaration but after the commencement of such medical disaster. The immunity granted in this section shall not apply in the event of a willful act or omission.</p>	Care at scene of emergency
	Cal. Bus. & Prof. Code § 5536.27 (Deering 2008)	<p>(a) An architect who voluntarily, without compensation or expectation of compensation, provides structural inspection services at the scene of a declared national, state, or local emergency caused by a major earthquake, flood, riot, or fire at the request of a public official, public safety officer, or city or county building inspector acting in an official capacity shall not be liable in negligence for any personal injury, wrongful death, or property damage caused by the architect's good faith but negligent inspection of a structure used for human habitation or a structure owned by a public entity for structural integrity or nonstructural elements affecting life and safety. The immunity provided by this section shall apply only for an inspection that occurs within 30 days of the declared emergency. Nothing in this section shall provide immunity for gross negligence or willful misconduct.</p> <p>(b) As used in this section:</p> <p>(1) "Architect" has the meaning given by Section 5500.</p> <p>(2) "Public safety officer" has the meaning given in Section 3301 of the Government Code.</p> <p>(3) "Public official" means a state or local elected officer.</p>	

State	Citation(s)	Statute(s)	Note
	Cal. Bus. & Prof. Code § 6706 (Deering 2008)	<p>(a) An engineer who voluntarily, without compensation or expectation of compensation, provides structural inspection services at the scene of a declared national, state, or local emergency at the request of a public official, public safety officer, or city or county building inspector acting in an official capacity shall not be liable in negligence for any personal injury, wrongful death, or property damage caused by the engineer's good faith but negligent inspection of a structure used for human habitation or owned by a public entity for structural integrity or nonstructural elements affecting life and safety.</p> <p>The immunity provided by this section shall apply only for an inspection that occurs within 30 days of the declared emergency.</p> <p>Nothing in this section shall provide immunity for gross negligence or willful misconduct.</p> <p>(b) As used in this section:</p> <p>(1) "Engineer" means a person registered under this chapter as a professional engineer, including any of the branches thereof.</p> <p>(2) "Public safety officer" has the meaning given in Section 3301 of the Government Code.</p> <p>(3) "Public official" means a state or local elected officer.</p>	
Colorado (CO)	Colo. Rev. Stat. § 12-29.3-101 et seq. (2008)		Uniform Emergency Volunteer Health Practitioners Act
	Colo. Rev. Stat. § 13-21-108 (2008)	<p>(1) Any person licensed as a physician and surgeon under the laws of the state of Colorado, or any other person, who in good faith renders emergency care or emergency assistance to a person not presently his patient without compensation at the place of an emergency or accident, including a health care institution as defined in section 13-64-202 (3), shall not be liable for any civil damages for acts or omissions made in good faith as a result of the rendering of such emergency care or emergency assistance during the emergency, unless the acts or omissions were grossly negligent or willful and wanton. This section shall not apply to any person who renders such emergency care or emergency assistance to a patient he is otherwise obligated to cover.</p> <p>(2) Any person while acting as a volunteer member of a rescue unit, as defined in section 25-3.5-103 (11), C.R.S., notwithstanding the fact that such organization may recover actual costs incurred in the rendering of emergency care or assistance to a person, who in good faith renders emergency care or assistance without compensation at the place of an emergency or accident shall not be liable for any civil damages for acts or</p>	Good Samaritan – Persons rendering emergency assistance exempt from civil liability

State	Citation(s)	Statute(s)	Note
		<p>omissions in good faith.</p> <p>(3) Any person, including a licensed physician, surgeon, or other medical personnel, while acting as a volunteer member of a ski patrol or ski area rescue unit, notwithstanding the fact that such person may receive free skiing privileges or other benefits as a result of his volunteer status, who in good faith renders emergency care or assistance without other compensation at the place of an emergency or accident shall not be liable for any civil damages for acts or omissions in good faith.</p> <p>(4) (a) Notwithstanding the fact that the person may be reimbursed for the person's costs or that the nonprofit organization may receive a grant or other funding, any person who, while acting as a volunteer for any nonprofit organization operating a telephone hotline, answers questions of or provides counseling to members of the public in crisis situations shall not be liable for any civil damages for acts or omissions made in good faith as a result of discussions or counseling provided on the hotline.</p> <p>(b) As used in this subsection (4), unless the context otherwise requires, "hotline" means a telephone line staffed by individuals who provide immediate assistance to callers in emergency or crisis situations.</p> <p>(5) An employer shall not be liable for any civil damages for acts or omissions made by an employee while rendering emergency care or emergency assistance if the employee:</p> <p>(a) Renders the emergency care or emergency assistance in the course of his or her employment for the employer; and</p> <p>(b) Is personally exempt from liability for civil damages for the acts or omissions under subsection (1) of this section.</p>	
	Colo. Rev. Stat. § 13-21-115.5 (2008)	<p>. . .</p> <p>(3) As used in this section, unless the context otherwise requires:</p> <p>(a) "Nonprofit corporation" means any corporation which is exempt from taxation pursuant to section 501(a) of the federal "Internal Revenue Code of 1986", 26 U.S.C. sec. 501(a), as amended, or which is listed as an exempt organization in section 501(c) of the federal "Internal Revenue Code of 1986", 26 U.S.C. sec. 501(c), as amended. The term includes a not-for-profit corporation.</p> <p>(b) "Nonprofit organization" means any organization which is exempt from</p>	Volunteer Service Act

State	Citation(s)	Statute(s)	Note
		<p>taxation pursuant to section 501(a) of the federal "Internal Revenue Code of 1986", 26 U.S.C. sec. 501(a), as amended, or which is listed as an exempt organization in section 501(c) of the federal "Internal Revenue Code of 1986", 26 U.S.C. sec. 501(c), as amended, and any homeowners association, as defined in and which is exempt from taxation pursuant to section 528 of the federal "Internal Revenue Code of 1986", 26 U.S.C. sec. 528.</p> <p>(c) (I) "Volunteer" means a person performing services for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital without compensation, other than reimbursement for actual expenses incurred. The term excludes a volunteer serving as a director, officer, or trustee who shall be protected from civil liability in accordance with the provisions of sections 13-21-116 and 13-21-115.7.</p> <p>(II) "Volunteer" includes:</p> <p>(A) A licensed physician and a licensed physician assistant governed by the provisions of article 36 of title 12, C.R.S., performing the practice of medicine, as defined in section 12-36-106, C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(B) A licensed chiropractor governed by the provisions of article 33 of title 12, C.R.S., performing chiropractic, as defined in section 12-33-102 (1), C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(C) A registered midwife governed by the provisions of article 37 of title 12, C.R.S., performing the practice of direct-entry midwifery, as defined in section 12-37-102 (2), C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(D) A licensed nurse governed by the "Nurse Practice Act", article 38 of title 12, C.R.S., performing the practice of practical nursing or the practice of professional nursing, as defined in section 12-38-103 (9) and (10), C.R.S., respectively, as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(E) A registered advance practice nurse governed by the "Nurse Practice Act", article 38 of title 12, C.R.S., performing nursing tasks within the scope of the person's nursing license and performing advanced practice under authority granted by the state board of nursing pursuant to sections 12-38-111.5 and 12-38-111.6, C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(F) A licensed retired volunteer nurse governed by the provisions of article 38 of title 12, C.R.S., performing volunteer nursing tasks within the scope of the person's nursing license, as described in section 12-38-112.5,</p>	

State	Citation(s)	Statute(s)	Note
		<p>C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(G) A certified nurse aide governed by the provisions of article 38.1 of title 12, C.R.S., performing the practice of a nurse aide, as defined in section 12-38.1-102 (5), C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(H) A licensed nursing home administrator and registered nursing home administrator-in-training governed by the provisions of article 39 of title 12, C.R.S., performing the practice of nursing home administration, as defined in section 12-39-102 (5), C.R.S., and the training of an administrator-in-training, as described in section 12-39-107, C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(I) A licensed optometrist governed by the provisions of article 40 of title 12, C.R.S., performing the practice of optometry, as defined in section 12-40-102, C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(J) A licensed physical therapist governed by the "Physical Therapy Practice Act", article 41 of title 12, C.R.S., performing physical therapy, as defined in section 12-41-103 (6), C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(K) A licensed respiratory therapist governed by the "Respiratory Therapy Practice Act", article 41.5 of title 12, C.R.S., performing respiratory therapy, as defined in section 12-41.5-103 (6), C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(L) A licensed psychiatric technician governed by the provisions of article 42 of title 12, C.R.S., performing the practice as a psychiatric technician, as defined in section 12-42-102 (4), C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(M) A licensed psychologist governed by the provisions of article 43 of title 12, C.R.S., performing the practice of psychology, as defined in section 12-43-303, C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(N) A licensed social worker and licensed clinical social worker governed by the provisions of article 43 of title 12, C.R.S., performing social work practice, as defined in section 12-43-403, C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(O) A licensed marriage and family therapist governed by the</p>	

State	Citation(s)	Statute(s)	Note
		<p>provisions of article 43 of title 12, C.R.S., performing marriage and family therapy practice, as defined in section 12-43-503, C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(P) A licensed professional counselor governed by the provisions of article 43 of title 12, C.R.S., performing professional counseling, as defined in section 12-43-601 (5), C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(Q) A licensed pharmacist governed by the provisions of article 22 of title 12, C.R.S., performing the practice of pharmacy, as defined in section 12-22-102 (26), C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital;</p> <p>(R) A licensed dentist or dental hygienist governed by article 35 of title 12, C.R.S., performing the practice of dentistry or dental hygiene, as defined in section 12-35-103, C.R.S., and as described in section 12-35-113, C.R.S., as a volunteer for a nonprofit organization, nonprofit corporation, governmental entity, or hospital; or a dentist or dental hygienist who holds a license in good standing from another state performing the practice of dentistry or dental hygiene, as defined in section 12-35-103, C.R.S., and as described in section 12-35-113, C.R.S., as a volunteer for a nonprofit organization, nonprofit corporation, governmental entity, or hospital pursuant to section 12-35-115 (1) (k), C.R.S.; and</p> <p>(S) A licensed or certified addiction counselor governed by the provisions of article 43 of title 12, C.R.S., performing addiction counseling, as defined in section 12-43-802, C.R.S., as a volunteer for a nonprofit organization, a nonprofit corporation, a governmental entity, or a hospital.</p> <p>(III) The nonprofit organization, nonprofit corporation, governmental entity, or hospital for which a volunteer performs shall annually verify that the volunteer holds an unrestricted Colorado license, registration, or certification to practice his or her respective profession.</p> <p>(4) (a) Any volunteer shall be immune from civil liability in any action on the basis of any act or omission of a volunteer resulting in damage or injury if:</p> <p>(I) The volunteer is immune from liability for the act or omission under the federal "Volunteer Protection Act of 1997", as from time to time may be amended, codified at 42 U.S.C. sec. 14501 et seq.; and</p> <p>(II) The damage or injury was not caused by misconduct or other circumstances that would preclude immunity for such volunteer under the federal law described in subparagraph (I) of this paragraph (a).</p> <p>(III) (Deleted by amendment, L. 2006, p. 531, § 1, effective July 1, 2006.)</p>	

State	Citation(s)	Statute(s)	Note
		<p>(b) (I) Except as otherwise provided in subparagraph (II) of this paragraph (b), nothing in this section shall be construed to bar any cause of action against a nonprofit organization, nonprofit corporation, governmental entity, or hospital or change the liability otherwise provided by law of a nonprofit organization, nonprofit corporation, governmental entity, or hospital arising out of an act or omission of a volunteer exempt from liability for negligence under this section.</p> <p>(II) A nonprofit organization, nonprofit corporation, governmental entity, or hospital that is formed for the sole purpose of facilitating the volunteer provision of health care shall be immune from liability arising out of an act or omission of a volunteer who is immune from liability under this subsection (4).</p> <p>(5) Notwithstanding the provisions of subsection (4) of this section, a plaintiff may sue and recover civil damages from a volunteer based upon a negligent act or omission involving the operation of a motor vehicle during an activity; except that the amount recovered from such volunteer shall not exceed the limits of applicable insurance coverage maintained by or on behalf of such volunteer with respect to the negligent operation of a motor vehicle in such circumstances. However, nothing in this section shall be construed to limit the right of a plaintiff to recover from a policy of uninsured or underinsured motorist coverage available to the plaintiff as a result of a motor vehicle accident.</p>	
Connecticut (CT)	Conn. Gen. Stat. § 52-557b (2008)	<p>(a) A person licensed to practice medicine and surgery under the provisions of chapter 370 or dentistry under the provisions of section 20-106 or members of the same professions licensed to practice in any other state of the United States, a person licensed as a registered nurse under section 20-93 or 20-94 or certified as a licensed practical nurse under section 20-96 or 20-97, a medical technician or any person operating a cardiopulmonary resuscitator or an automatic external defibrillator, or a 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, voluntarily and gratuitously and other than in the ordinary course of such person's employment or practice, renders emergency medical or professional assistance to a person in need thereof, shall not be liable to such person assisted for civil damages for any personal injuries which result from acts or omissions by such person in rendering the emergency care, which may constitute ordinary negligence. The immunity provided in this subsection does not apply to acts or omissions constituting gross, wilful or wanton negligence. Nothing in this subsection shall be construed to exempt paid or volunteer firefighters,</p>	Good Samaritan

State	Citation(s)	Statute(s)	Note
		<p>police officers or emergency medical services personnel from completing training in cardiopulmonary resuscitation or in the use of an automatic external defibrillator in accordance with the standard set forth by the American Red Cross or American Heart Association. For the purposes of this subsection, "automatic external defibrillator" means a device that: (1) Is used to administer an electric shock through the chest wall to the heart; (2) contains internal decision-making electronics, microcomputers or special software that allows it to interpret physiologic signals, make medical diagnosis and, if necessary, apply therapy; (3) guides the user through the process of using the device by audible or visual prompts; and (4) does not require the user to employ any discretion or judgment in its use.</p> <p>(b) A paid or volunteer firefighter or police officer, a teacher or other school personnel on the school grounds or in the school building or at a school function, a member of a ski patrol, a lifeguard, a conservation officer, patrol officer or special police officer of the Department of Environmental Protection, or emergency medical service personnel, who has completed a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any director of health, as certified by the agency or director of health offering the course, and who renders emergency first aid to a person in need thereof, shall not be liable to such person assisted for civil damages for any personal injuries which result from acts or omissions by such person in rendering the emergency first aid, which may constitute ordinary negligence. No paid or volunteer firefighter, police officer or emergency medical service personnel who forcibly enters the residence of any person in order to render emergency first aid to a person whom such firefighter, police officer or emergency medical service personnel reasonably believes to be in need thereof shall be liable to such person for civil damages incurred as a result of such entry. The immunity provided in this subsection does not apply to acts or omissions constituting gross, wilful or wanton negligence.</p> <p>(c) An employee of a railroad company, including any company operating a commuter rail line, who has successfully completed a course in first aid, offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any director of health, as certified by the agency or director of health offering the course, and who renders emergency first aid or cardiopulmonary resuscitation to a person in need thereof, shall not be liable to such person assisted for civil damages for any personal injury or death which results from acts or</p>	

State	Citation(s)	Statute(s)	Note
		<p>omissions by such employee in rendering the emergency first aid or cardiopulmonary resuscitation which may constitute ordinary negligence. The immunity provided in this subsection does not apply to acts or omissions constituting gross, wilful or wanton negligence.</p> <p>(h) Any person who has completed a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any director of health, as certified by the agency or director of health offering the course, or has been trained in the use of a cartridge injector by a licensed physician, physician assistant, advanced practice registered nurse or registered nurse, and who, voluntarily and gratuitously and other than in the ordinary course of such person's employment or practice, renders emergency assistance by using a cartridge injector on another person in need thereof, or any person who is an identified staff member of a before or after school program, day camp or day care facility, as provided in section 19a-900, and who renders emergency assistance by using a cartridge injector on another person in need thereof, shall not be liable to such person assisted for civil damages for any personal injuries which result from acts or omissions by such person in using a cartridge injector, which may constitute ordinary negligence. The immunity provided in this subsection does not apply to acts or omissions constituting gross, wilful or wanton negligence. For the purposes of this subsection, "cartridge injector" has the same meaning as provided in subdivision (1) of subsection (e) of this section.</p>	
	Conn. Gen. Stat. §§ 28-1 (3)-(5) (2008)	<p>(3) "Emergency" means any occasion or instance for which, in the determination of the President, federal assistance is needed to supplement state and local efforts and capabilities to save lives and protect property, public health and safety or to avert or lessen the threat of a disaster or catastrophe in any part of this state.</p> <p>(4) "Civil preparedness" means all those activities and measures designed or undertaken (A) to minimize or control the effects upon the civilian population of major disaster, (B) to minimize the effects upon the civilian population caused or which would be caused by an attack upon the United States, (C) to deal with the immediate emergency conditions which would be created by any such attack, major disaster or emergency, and (D) to effectuate emergency repairs to, or the emergency restoration of, vital utilities and facilities destroyed or damaged by any such attack, major disaster or emergency. Such term shall include, but shall not be limited to, (i) measures to be taken in preparation for anticipated attack, major disaster or emergency, including the establishment of appropriate organizations,</p>	Civil Preparedness. Department of Emergency Management and Homeland Security

State	Citation(s)	Statute(s)	Note
		<p>operational plans and supporting agreements; the recruitment and training of personnel; the conduct of research; the procurement and stockpiling of necessary materials and supplies; the provision of suitable warning systems; the construction and preparation of shelters, shelter areas and control centers; and, when appropriate, the nonmilitary evacuation of the civilian population, pets and service animals; (ii) measures to be taken during attack, major disaster or emergency, including the enforcement of passive defense regulations prescribed by duly established military or civil authorities; the evacuation of personnel to shelter areas; the control of traffic and panic; and the control and use of lighting and civil communication; and (iii) measures to be taken following attack, major disaster or emergency, including activities for fire fighting; rescue, emergency medical, health and sanitation services; monitoring for specific hazards of special weapons; unexploded bomb reconnaissance; essential debris clearance; emergency welfare measures; and immediately essential emergency repair or restoration of damaged vital facilities.</p> <p>(5) "Civil preparedness forces" means any organized personnel engaged in carrying out civil preparedness functions in accordance with the provisions of this chapter or any regulation or order adopted pursuant to this chapter. All the police and fire forces of the state or any political subdivision of the state, or any part of any political subdivision, including all the auxiliaries of these forces and emergency medical service personnel licensed or certified pursuant to section 19a-179, shall be construed to be a part of the civil preparedness forces. The Connecticut Disaster Medical Assistance Team and the Medical Reserve Corps, under the auspices of the Department of Public Health, the Connecticut Urban Search and Rescue Team, under the auspices of the Department of Emergency Management and Homeland Security, and the Connecticut behavioral health regional crisis response teams, under the auspices of the Department of Mental Health and Addiction Services and the Department of Children and Families, and their members, shall be construed to be a part of the civil preparedness forces while engaging in authorized civil preparedness duty or while assisting or engaging in authorized training for the purpose of eligibility for immunity from liability as provided in section 28-13 and for death, disability and injury benefits as provided in section 28-14. Any member of the civil preparedness forces who is called upon either by civil preparedness personnel or state or municipal police personnel to assist in any emergency shall be deemed to be engaging in civil preparedness duty while assisting in such emergency or while engaging in training under the auspices of the Department of Emergency Management and Homeland Security, the</p>	

State	Citation(s)	Statute(s)	Note
		Department of Public Safety, the Division of State Police within the Department of Public Safety or a municipal police department, for the purpose of eligibility for death, disability and injury benefits as provided in section 28-14.	
Delaware (DE)	Del. Code Ann. tit. 24, § 1767 (2008)	A 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 is not liable for civil damages as a result of any acts or omissions in rendering the emergency care.	Emergency care at scene of emergency (Good Samaritan)
	Del. Code Ann. tit. 20, § 3129 (2008)	<p>(a) Neither the State, nor any county in the State, nor any municipal corporation of the State, nor any other political subdivision of the State, nor any agency of any of them, nor the agents, employees or representatives of any of them, nor any qualified medical personnel engaged in emergency or disaster relief operations and activities in connection with any emergency or disaster pursuant to this chapter, nor any person, firm, corporation or other entity performing work and/or furnishing material pursuant to a contract (oral or written) with the State or with any county in the State, or with any municipal corporation of the State, or with any other political subdivision of the State or with any agency of any of them, entered into as a result of the declaration by the Governor of an emergency order or entered into as a part of efforts to comply with this chapter, shall be liable for the death of or any injury to persons, or damage to property, as a result of such relief operations and activities and/or the performance of or attempts to perform such contract, unless such death, injury or damage was intentional on the part of, or was caused by the wilful or wanton disregard of the rights of others by the State, or by the county, or by the municipal corporation, or by the other political subdivision, as the case may be, or by any agency of any of them, or by the agents, employees or representatives of any of them or by the qualified medical personnel or by such person, firm, corporation or other entity engaged in such emergency or disaster relief operations and activities and/or the performance and attempted performance of such contract, as the case may be. These provisions shall not affect the right of any person to receive statutory benefits to which that person would otherwise be entitled in the absence of this section or under the Workers' Compensation Act (Chapter 23 of Title 19) or under any pension law, or the right of any such person to receive any benefits or compensation under any act of Congress.</p> <p>(b) No act or omission of qualified medical personnel during such relief operations and activities shall affect an insured physician's liability coverage in any way.</p>	Immunity from civil liability – Emergency Management

State	Citation(s)	Statute(s)	Note
		<p>(c) Qualified medical personnel may petition a court of competent jurisdiction for a court-appointed attorney to represent the medical provider's interests in any action brought based on the medical provider's acts or omissions during the emergency or disaster relief operations and activities. If the judge, after consideration of the petition, examination of the petitioner and receipt of such further evidence as the judge may require, determines that the petition has merit, the judge shall appoint an attorney to represent the interests of such medical provider. The court may first appoint an attorney from the Department of Justice. If the court determines that the Department is unable to represent the medical provider, the court may appoint an attorney licensed in this State. A court-appointed attorney shall represent the medical provider in all proceedings from the date of appointment until a final determination of the matter has been reached, unless the attorney is earlier released by the medical provider or by the court. This section shall also apply to all federal courts within this State.</p> <p>(d) Qualified medical personnel under this chapter shall be indemnified by the State against any expenses (including attorneys' fees and disbursements), judgments, fines and costs, actually and reasonably incurred in defending against the action, suit or proceeding giving rise thereto.</p>	
	Del. Code Ann. tit. 10, § 8133 (2008)	<p>(a) For purposes of this section, the following terms shall have the meanings ascribed herein:</p> <p>(1) "Volunteer" is any trustee, ex officio trustee, director, officer, agent or worker who is engaged in an activity without compensation.</p> <p>(2) "Activity" is any decision, act or event undertaken by an organization in furtherance of the purpose or purposes for which such organization was organized and exempted from federal income tax, and in the case of a governmental entity described in paragraph (5)b of this subsection, in furtherance of the exercise of any governmental function. By way of example, and not limitation, the planning for, sponsorship and conduct of a fundraising event for the benefit of 1 or more organizations is an "activity."</p> <p>(3) "Compensation" is any remuneration, whether by way of salary, fee or otherwise, for services rendered, exclusive of any gift perquisite in the form of access to services of the organization at no or a reduced cost or reimbursement for costs actually incurred. Compensation shall not include any remuneration which an ex officio trustee receives by way of salary for a position which requires among other duties serving as an ex officio trustee.</p> <p>(4) "Employee" is any person who receives compensation from an</p>	Limitation from civil liability for certain nonprofit organization volunteers

State	Citation(s)	Statute(s)	Note
		<p>organization or a third party for services rendered in connection with an activity of such organization.</p> <p>(5) "Organization" shall include:</p> <p>a. Any not-for-profit organization exempt from federal income tax under § 501(c) of the Internal Revenue Code (26 U.S.C. § 501(c)), as amended, or other act of Congress, and engaged in any activity within the State in furtherance of a purpose for which it was organized; and</p> <p>b. Any governmental entity, including the United States, the State and any board, commission, division, office, task force or other agency of the State or the United States, exempt from federal income tax under § 115 of the Internal Revenue Code (26 U.S.C. § 115), as amended, or other acts of Congress, and engaged in any activity within the State in furtherance of the exercise of any governmental function.</p> <p>(b) No volunteer of an organization shall be subject to suit directly, derivatively or by way of contribution for any civil damages under the laws of Delaware resulting from any negligent act or omission performed during or in connection with an activity of such organization.</p> <p>(c) Notwithstanding subsection (b) of this section, a plaintiff may sue and recover civil damages from a volunteer based upon a negligent act or omission involving the operation of a motor vehicle during an activity; provided, that the amount recovered from such volunteer shall not exceed the limits of applicable insurance coverage maintained by or on behalf of such volunteer with respect to the negligent operation of a motor vehicle in such circumstances.</p> <p>(d) The immunity granted in subsection (b) of this section shall not extend to any act or omission constituting willful and wanton or grossly negligent conduct.</p> <p>(e) In any suit against an organization for civil damages based upon the negligent act or omission of a volunteer, proof of such act or omission shall be sufficient to establish the liability of the organization therefor under the doctrine of respondeat superior, notwithstanding the immunity granted to the volunteer with respect to such negligent act or omission under subsection (b) of this section.</p>	
District of Columbia (DC)	D.C. Code. Ann. § 7-401 (LexisNexis 2008)	(a) Any person who in good faith renders emergency medical care or assistance to an injured person at the scene of an accident or other emergency in the District of Columbia outside of a hospital, without the expectation of receiving or intending to seek compensation from such	Limitation on liability for medical care or assistance in emergency situations

State	Citation(s)	Statute(s)	Note
		<p>injured person for such service, shall not be liable in civil damages for any act or omission, not constituting gross negligence, in the course of rendering such care or assistance.</p> <p>(b) In the case of a person who renders emergency medical care or assistance in circumstances described in subsection (a) of this section and who is not licensed or certified by the District of Columbia or by any state to provide medical care or assistance, the limited immunity provided in subsection (a) of this section shall apply to such persons; provided, that the person shall relinquish the direction of the care of the injured person when an appropriate person licensed or certified by the District of Columbia or by any state to provide medical care or assistance assumes responsibility for the care of the injured person.</p> <p>(c) A certified emergency medical technician/paramedic or emergency medical technician/intermediate paramedic who, in good faith and pursuant to instructions either directly or via telecommunication from a licensed physician, renders advanced emergency medical care or assistance to an injured person at the scene of an accident or other emergency or in transit from the scene of an accident or emergency to a hospital shall not be liable in civil damages for any act or omission not constituting gross negligence in the course of rendering such advanced emergency medical care or assistance.</p> <p>(d) A licensed physician who in good faith gives emergency medical instructions either directly or via telecommunication to a certified emergency medical technician/paramedic or emergency medical technician/intermediate paramedic for the purpose of providing advanced emergency medical care to an injured person at the scene of an accident or other emergency or in transit from the scene of an accident or emergency to a hospital shall not be liable in civil damages for any act or omission not constituting gross negligence in the course of giving such emergency medical instructions.</p> <p>(d-1) If the Mayor of the District of Columbia declares a state of emergency pursuant to § 7-2304, any act or omission of an emergency medical technician/paramedic ("Paramedic"), an emergency medical technician/intermediate paramedic ("EMT/I"), or an emergency medical technician ("EMT"), performed while providing advanced or basic life support to a patient or trauma victim shall not impose liability upon the Paramedic, EMT/I, or EMT, or any employer of the Paramedic, EMT/I, or</p>	

State	Citation(s)	Statute(s)	Note
		<p>EMT; provided, that the care is provided in good faith and does not constitute gross negligence.</p> <p>(e) For the purposes of this section, the terms "emergency medical technician/paramedic," "emergency medical technician/intermediate paramedic," and "emergency medical technician" mean a person who has been trained in advanced emergency medical care, employed in that capacity, and certified by the appropriate governmental certifying authority in the District of Columbia or in any state to:</p> <ol style="list-style-type: none"> (1) Carry out all phases of basic life support; (2) Administer drugs under the written or oral authorization, including via telecommunication, of a licensed physician; (3) Administer intravenous solutions under the written or oral authorization, including via telecommunication, of a licensed physician; and (4) Carry out, either directly or via telecommunication instructions from a licensed physician, certain other phases of advanced life support as authorized by the appropriate governmental certifying authority. 	
	D.C. Code. Ann. § 7-2304.01 (LexisNexis 2008)	<p>(a) When the Mayor declares a public emergency pursuant to § 7-2304, the Mayor may issue an additional executive order to proclaim a public health emergency if the Mayor has reasonable cause to believe that there is an imminent hazard of or actual occurrence of any of the following harms:</p> <ol style="list-style-type: none"> (1) A large number of deaths in the District of Columbia; (2) A large number of serious or long-term human health disabilities in the District of Columbia; (3) Widespread exposure to an infectious or toxic agent that poses a significant risk of substantial future harm to a large number of people in the District of Columbia; or (4) Use, dissemination, or detonation of a weapon of mass destruction, as defined by Chapter 31A of Title 22, in the District of Columbia. <p>(b) An executive order issued pursuant to this section shall be subject to the publication requirements of § 7-2306(d).</p> <p>(c) A public health emergency executive order shall specify:</p> <ol style="list-style-type: none"> (1) The existence, nature, extent, and severity of the public health emergency; (2) The geographic areas subject to the declaration; (3) The conditions that have brought about the public health emergency, if known; (4) The measures necessary to relieve the public health emergency; (5) The specific requirements of the order and the persons upon whom 	Issuance of public health emergency executive order

State	Citation(s)	Statute(s)	Note
		<p>the order is binding; and</p> <p>(6) The duration of the order, which shall be consistent with the provisions of § 7-2306.</p> <p>(d) A public health emergency executive order may include terms that:</p> <p>(1) Require that the conduct and management of the affairs and property of licensed health care providers in the District of Columbia shall be such that they will reasonably assist and not unreasonably detract from the ability of the District of Columbia government to successfully respond to and control the public health emergency in accordance with the provisions of the District of Columbia response plan and of subchapter II of Chapter 1 of this title;</p> <p>(2) Appoint licensed health care providers, either from the District of Columbia or from other jurisdictions, as temporary agents of the District of Columbia; provided, that such appointments are:</p> <p>(A) In effect solely for the duration of the public health emergency;</p> <p>(B) In effect solely for the purpose of assisting the District of Columbia in implementing the provisions of the District of Columbia response plan and of subchapter II of Chapter 1 of this title; and</p> <p>(C) Without compensation;</p> <p>(3) Exempt licensed health care providers, either from the District of Columbia or from other jurisdictions, from civil liability for damages for any actions taken within the scope of the provider's employment or voluntary service to implement the provisions of the District of Columbia response plan and of subchapter II of Chapter 1 of this title, except in instances of gross negligence, and solely for the duration of the public health emergency; and</p> <p>(4) Waive any licensing requirements, permits, or fees otherwise required by District of Columbia law to allow health care providers from other jurisdictions appointed as temporary agents to respond to the public health emergency pursuant to this subsection; provided, that the appointed temporary agents are licensed in their home jurisdictions in their fields of expertise.</p> <p>(e) The Mayor, pursuant to subchapter I of Chapter 5 of Title 2, shall issue regulations to implement the provisions of this section.</p>	
Florida (FL)	<p>Fla. Stat. Ann. § 768.13 (LexisNexis 2008)</p>	<p>(1) This act shall be known and cited as the "Good Samaritan Act."</p> <p>(2) (a) Any person, including those licensed to practice medicine, who gratuitously and in good faith renders emergency care or treatment either in direct response to emergency situations related to and arising out of a</p>	Good Samaritan

State	Citation(s)	Statute(s)	Note
		<p>public health emergency declared pursuant to s. 381.00315, a state of emergency which has been declared pursuant to s. 252.36 or at the scene of an emergency outside of a hospital, doctor's office, or other place having proper medical equipment, without objection of the injured victim or victims thereof, shall not be held liable for any civil damages as a result of such care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as an ordinary reasonably prudent person would have acted under the same or similar circumstances.</p> <p>(b) 1. Any health care provider, including a hospital licensed under chapter 395, providing emergency services pursuant to obligations imposed by 42 U.S.C. s. 1395dd, s. 395.1041, s. 395.401, or s. 401.45 shall not be held liable for any civil damages as a result of such medical care or treatment unless such damages result from providing, or failing to provide, medical care or treatment under circumstances demonstrating a reckless disregard for the consequences so as to affect the life or health of another.</p> <p>2. The immunity provided by this paragraph applies to damages as a result of any act or omission of providing medical care or treatment, including diagnosis:</p> <p>a. Which occurs prior to the time the patient is stabilized and is capable of receiving medical treatment as a nonemergency patient, unless surgery is required as a result of the emergency within a reasonable time after the patient is stabilized, in which case the immunity provided by this paragraph applies to any act or omission of providing medical care or treatment which occurs prior to the stabilization of the patient following the surgery.</p> <p>b. Which is related to the original medical emergency.</p> <p>3. For purposes of this paragraph, "reckless disregard" as it applies to a given health care provider rendering emergency medical services shall be such conduct that a health care provider knew or should have known, at the time such services were rendered, created an unreasonable risk of injury so as to affect the life or health of another, and such risk was substantially greater than that which is necessary to make the conduct negligent.</p> <p>4. Every emergency care facility granted immunity under this paragraph shall accept and treat all emergency care patients within the operational capacity of such facility without regard to ability to pay, including patients transferred from another emergency care facility or other health care provider pursuant to Pub. L. No. 99-272, s. 9121. The failure of an emergency care facility to comply with this subparagraph constitutes grounds for the department to initiate disciplinary action against the facility pursuant to chapter 395.</p>	

State	Citation(s)	Statute(s)	Note
		<p>(c) 1. Any health care practitioner as defined in s. 456.001(4) who is in a hospital attending to a patient of his or her practice or for business or personal reasons unrelated to direct patient care, and who voluntarily responds to provide care or treatment to a patient with whom at that time the practitioner does not have a then-existing health care patient-practitioner relationship, and when such care or treatment is necessitated by a sudden or unexpected situation or by an occurrence that demands immediate medical attention, shall not be held liable for any civil damages as a result of any act or omission relative to that care or treatment, unless that care or treatment is proven to amount to conduct that is willful and wanton and would likely result in injury so as to affect the life or health of another.</p> <p>2. The immunity provided by this paragraph does not apply to damages as a result of any act or omission of providing medical care or treatment unrelated to the original situation that demanded immediate medical attention.</p> <p>3. For purposes of this paragraph, the Legislature's intent is to encourage health care practitioners to provide necessary emergency care to all persons without fear of litigation as described in this paragraph.</p> <p>(d) Any person whose acts or omissions are not otherwise covered by this section and who participates in emergency response activities under the direction of or in connection with a community emergency response team, local emergency management agencies, the Division of Emergency Management of the Department of Community Affairs, or the Federal Emergency Management Agency is not liable for any civil damages as a result of care, treatment, or services provided gratuitously in such capacity and resulting from any act or failure to act in such capacity in providing or arranging further care, treatment, or services, if such person acts as a reasonably prudent person would have acted under the same or similar circumstances.</p> <p>(3) Any person, including those licensed to practice veterinary medicine, who gratuitously and in good faith renders emergency care or treatment to an injured animal at the scene of an emergency on or adjacent to a roadway shall not be held liable for any civil damages as a result of such care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as an ordinary reasonably prudent person would have acted under the same or similar circumstances.</p>	
Georgia (GA)	Ga. Code Ann. §§ 51-1-29.1, 29.2	Ga. Code Ann. § 51-1-29.1 (a) Without waiving or affecting and cumulative of any existing immunity	Liability of voluntary health care provider

State	Citation(s)	Statute(s)	Note
	(2008)	<p>from any source, unless it is established that injuries or death were caused by gross negligence or willful or wanton misconduct:</p> <p>(1) No health care provider licensed under Chapter 9, 11, 26, 30, 33, or 34 of Title 43 who voluntarily and without the expectation or receipt of compensation provides professional services, within the scope of such health care provider's licensure, for and at the request of a hospital, public school, nonprofit organization, or an agency of the state or one of its political subdivisions or provides such professional services to a person at the request of such an organization, which organization does not expect or receive compensation with respect to such services from the recipient of such services; or</p> <p>(2) No licensed hospital, public school, or nonprofit organization which requests, sponsors, or participates in the providing of the services under the circumstances provided in paragraph (1) of this subsection</p> <p>shall be liable for damages or injuries alleged to have been sustained by the person nor for damages for the injury or death of the person when the injuries or death are alleged to have occurred by reason of an act or omission in the rendering of such services.</p> <p>(b) Nothing in this Code section shall be construed to change the scope of practice of any health care provider granted immunity in this Code section.</p> <p>(c) This Code section shall apply only to causes of action arising on or after July 1, 1987.</p> <p>Ga. Code Ann. § 51-1-29.2 Any natural person and any association, fraternal organization, private for profit entity, not for profit entity, religious organization, or charitable organization and the officers, directors, employees, and agents of such associations, organizations, and entities, when such persons, associations, organizations, or entities are working in coordination and under the direction of an appropriate state agency, who voluntarily and without the expectation or receipt of compensation provides services or goods in preparation for, anticipation of, or during a time of emergency and in a place of emergency as declared by the Governor for the benefit of any natural person or his or her property to prevent or minimize harm to such natural person or to prevent, minimize, and repair injury and damage to such person's property resulting from biological, chemical, or nuclear agents; terrorism; pandemics or epidemics of infectious disease; or catastrophic acts of nature, including, but not limited to, fire, flood,</p>	and sponsoring organization; Liability of persons or entities acting to prevent, minimize, and repair injury and damage resulting from catastrophic acts of nature

State	Citation(s)	Statute(s)	Note
		<p>earthquake, wind, storm, or wave action, or any other occurrence which warrants the declaration of a state of emergency or disaster by the Governor pursuant to Code Section 38-3-51 or by a federal agency shall not be civilly liable to any natural person receiving such assistance as a result of any act or omission in rendering such service if such natural person, association, organization, or entity was acting in good faith and unless the damage or injury was caused by the willful or wanton negligence or misconduct of such natural person, association, organization, or entity. Nothing in this Code section shall be construed to amend, repeal, alter, or affect in any manner any other provision of law granting immunity or limiting liability. Nothing in this Code section shall be construed to abrogate the sovereign immunity of this state as to all actions executed by any party under this Code section.</p>	
	Ga. Code Ann. § 38-3-35 (2008)	<p>(a) Neither the state nor any political subdivision of the state, nor the agents or representatives of the state or any political subdivision thereof, shall be liable for personal injury or property damage sustained by any person appointed or acting as a volunteer emergency management worker or member of any agency engaged in emergency management activity. The foregoing shall not affect the right of any person to receive benefits or compensation to which he might otherwise be entitled under Chapter 9 of Title 34, Code Section 38-3-30, any pension law, or any act of Congress.</p> <p>(b) Neither the state nor any political subdivision of the state nor, except in cases of willful misconduct, gross negligence, or bad faith, the employees, agents, or representatives of the state or any political subdivision thereof, nor any volunteer or auxiliary emergency management worker or member of any agency engaged in any emergency management activity complying with or reasonably attempting to comply with Articles 1 through 3 of this chapter; or any order, rule, or regulation promulgated pursuant to Articles 1 through 3 of this chapter, or pursuant to any ordinance relating to precautionary measures enacted by any political provisions of Articles 1 through 3 of this chapter, or pursuant to any ordinance relating to precautionary measures enacted by any political subdivision of the state shall be liable for the death of or the injury to person or for damage to property as a result of any such activity.</p>	Immunity of state and political subdivisions; of emergency management workers
Hawaii (HI)	Haw. Rev. Stat. Ann. § 622D-2 (LexisNexis 2008)	<p>(a) A volunteer shall be immune from civil liability in any action on the basis of any act or omission of a volunteer resulting in damage or injury if:</p> <p>(1) The volunteer was acting in good faith and within the scope of the volunteer's official functions and duties for a nonprofit organization, a nonprofit corporation, a hospital, or a governmental entity;</p> <p>(2) The damage or injury was caused by the volunteer's negligent</p>	Volunteer Service; Immunity

State	Citation(s)	Statute(s)	Note
		<p>conduct; and</p> <p>(3) With respect to a nonprofit organization, nonprofit corporation, or hospital, the entity for which the volunteer was acting either:</p> <p>(A) Has a general liability policy in force, both at the time of injury and at the time the claim is made against the entity, and the minimum coverage is in an amount of not less than: \$200,000 per occurrence and \$500,000 aggregate; or</p> <p>(B) Has total assets, exclusive of grants and allocations, of less than \$50,000.</p> <p>(b) In any suit against a nonprofit organization, a nonprofit corporation, a hospital, or a governmental entity for civil damages based upon the negligent act or omission of a volunteer, proof of the act or omission shall be sufficient to establish the responsibility of the entity therefor under the doctrine of respondeat superior, notwithstanding the immunity granted to the volunteer with respect to any act or omission included under subsection (a).</p>	
	Haw. Rev. Stat. Ann. § 663-1.5 (LexisNexis 2008)	<p>(a) Any person who in good faith renders emergency care, without remuneration or expectation of remuneration, at the scene of an accident or emergency to a victim of the accident or emergency shall not be liable for any civil damages resulting from the person's acts or omissions, except for such damages as may result from the person's gross negligence or wanton acts or omissions.</p> <p>(b) No act or omission of any rescue team or physician working in direct communication with a rescue team operating in conjunction with a hospital or an authorized emergency vehicle of the hospital or the State or county, while attempting to resuscitate any person who is in immediate danger of loss of life, shall impose any liability upon the rescue team, the physicians, or the owners or operators of such hospital or authorized emergency vehicle, if good faith is exercised.</p> <p>This section shall not relieve the owners or operators of the hospital or authorized emergency vehicle of any other duty imposed upon them by law for the designation and training of members of a rescue team or for any provisions regarding maintenance of equipment to be used by the rescue team or any damages resulting from gross negligence or wanton acts or omissions.</p> <p>(c) Any physician licensed to practice under the laws of this State or any other state who in good faith renders emergency medical care in a hospital</p>	Exemption to Liability (Good Samaritan)

State	Citation(s)	Statute(s)	Note
		<p>to a person, who is in immediate danger of loss of life, without remuneration or expectation of remuneration, shall not be liable for any civil damages, if the physician exercises that standard of care expected of similar physicians under similar circumstances.</p> <p>(d) Any person or other entity who as a public service publishes written general first aid information dealing with emergency first aid treatment, without remuneration or expectation of remuneration for providing this public service, shall not be liable for any civil damages resulting from the written publication of such first aid information except as may result from its gross negligence or wanton acts or omissions.</p> <p>(e) Any person who in good faith, without remuneration or expectation of remuneration, attempts to resuscitate a person in immediate danger of loss of life when administering any automated external defibrillator, regardless of where the automated external defibrillator that is used is located, shall not be liable for any civil damages resulting from any act or omission except as may result from the person's gross negligence or wanton acts or omissions.</p> <p>Any person, including an employer, who provides for an automated external defibrillator shall not be vicariously liable for any civil damages resulting from any act or omission of the persons or employees who, in good faith and without remuneration or the expectation of remuneration, attempt to resuscitate a person in immediate danger of loss of life by administering an automated external defibrillator, except as may result from a person's or employer's gross negligence or wanton acts or omissions.</p> <p>(f) Any physician who administers an automated external defibrillator program without remuneration or expectation of remuneration shall not be liable for any civil damages resulting from any act or omission involving the use of an automated external defibrillator, except as may result from the physician's gross negligence or wanton acts or omissions.</p> <p>(g) This section shall not relieve any person, physician, or employer of:</p> <ol style="list-style-type: none"> (1) Any other duty imposed by law regarding the designation and training of persons or employees; (2) Any other duty imposed by provisions regarding the maintenance of equipment to be used for resuscitation; or (3) Liability for any damages resulting from gross negligence, or wanton acts or omissions. 	

State	Citation(s)	Statute(s)	Note
		<p>(h) For the purposes of this section:</p> <p>"Automated external defibrillator program" means an appropriate training course that includes cardiopulmonary resuscitation and proficiency in the use of an automated external defibrillator.</p> <p>"Good faith" includes but is not limited to a reasonable opinion that the immediacy of the situation is such that the rendering of care should not be postponed.</p> <p>"Rescue team" means a special group of physicians, basic life support personnel, advanced life support personnel, surgeons, nurses, volunteers, or employees of the owners or operators of the hospital or authorized emergency vehicle who have been trained in basic or advanced life support and have been designated by the owners or operators of the hospital or authorized emergency vehicle to attempt to provide such support and resuscitate persons who are in immediate danger of loss of life in cases of emergency.</p>	
	Haw. Rev. Stat. Ann. § 321-228.5 (LexisNexis 2008)	<p>(a) All volunteer emergency medical disaster response personnel including:</p> <ol style="list-style-type: none"> (1) Physicians; (2) Psychologists; (3) Nurses; (4) Emergency medical technicians; (5) Social workers; and (6) Mobile intensive care technicians <p>licensed in the State, or employed by a health care facility, while engaged in the emergency response to a mass casualty event or disaster condition, including participation during periods of mass casualty and disaster management training, shall be deemed state employees or county employees, as the case may be, and shall have the powers, duties, rights, and privileges of such in the performance of their duties as prescribed by or under the authority of the governor or a county.</p> <p>(b) For the purposes of this section, any physician licensed in the State having privileges and credentials at public or private health care facilities licensed in the State, shall be deemed as having credentials with the same medical staff privileges at other hospitals for the purpose of rendering professional medical care under a mass casualty or disaster condition.</p> <p>(c) In the case of injury or death arising out of and in the performance of duty pursuant to this section, including duty performed during periods of training, all volunteer emergency medical disaster response personnel and their dependents shall be entitled to all of the benefits provided in chapter</p>	Volunteer emergency medical disaster response personnel

State	Citation(s)	Statute(s)	Note
		<p>386, including medical services and supplies. In the case of injury or death, no public official shall be excluded from coverage of chapter 386. Benefits shall be based on average weekly wages set forth in section 386-51, or based on earnings from the usual employment of the person, or based on earnings at the rate of \$20 a week, whichever is most favorable to the claimant. Nothing in this section shall adversely affect the right of any person to receive any benefits or compensation under any act of Congress.</p> <p>(d) Except in cases of wilful misconduct, the State, any county, or any volunteer emergency medical disaster response personnel engaged in the emergency response to a mass casualty event or disaster condition pursuant to this section (including volunteers whose services are accepted by any authorized person), shall not be liable for the death of or injury to persons, or for damage to property, as a result of any act or omission in the course of rendering professional medical care under a mass casualty event or disaster condition. No act or omission shall be imputed to the owner of any vehicle by reason of ownership thereof; provided that nothing in this section shall preclude recovery by any person for injury or damage sustained from the operation of any vehicle that may be insured under section 41D-8 to the extent of the insurance. Unless specifically provided, insurance effected under section 41D-8 shall not include coverage of such risk during a disaster emergency period.</p> <p>(e) For the purposes of this section:</p> <p>"Disaster condition" means a sudden catastrophic event that overwhelms natural order and causes loss of property or life and exceeds or disrupts the capabilities of available medical resources to receive and provide medical care within a community.</p> <p>"Mass casualty event" means a number of casualties generated more or less simultaneously, that exceeds the ability to provide usual medical care including but not limited to an airplane crash, collapsed building, bombing, or hurricane.</p>	
Idaho (ID)	Idaho Code Ann. § 5-330 (2008)	That no action shall lie or be maintained for civil damages in any court of this state against any person or persons, or group of persons, who in good faith, being at, or stopping at the scene of an accident, offers and administers first aid or medical attention to any person or persons injured in such accident unless it can be shown that the person or persons offering or administering first aid, is guilty of gross negligence in the care or treatment of said injured person or persons or has treated them in a grossly negligent	Immunity of persons giving first aid from damage claim (Good Samaritan)

State	Citation(s)	Statute(s)	Note
		manner. The immunity described herein shall cease upon delivery of the injured person to either a generally recognized hospital for treatment of ill or injured persons, or upon assumption of treatment in the office or facility of any person undertaking to treat said injured person or persons, or upon delivery of said injured person or persons into custody of an ambulance attendant.	
	Idaho Code Ann. §§ 46-1016, 1017 (2008)	<p>Idaho Code Ann. § 46-1016 No person, partnership, corporation, association, the state of Idaho or any political subdivision thereof or other entity who owns, leases, controls, occupies or maintains any building or premises which shall have been designated by proper authority for civil defense as a shelter from destructive operations or attacks by enemies of the United States shall be liable to any person for property damages, bodily injury or death resulting from or caused by the condition of said building or premises or as a result of any act or omission or in any way arising from the designation of such premises or buildings as a shelter when such person has entered or gone upon or into said building or premises for the purpose of seeking refuge therein during destructive operations or attacks by enemies of the United States or during tests ordered by lawful authority, except for acts of wilful negligence by the owner or occupant of such building or premises or other person responsible for the maintenance thereof, or by his servants, agents or employees.</p> <p>Idaho Code Ann. § 46-1017 Neither the state, nor the bureau, nor any political subdivision thereof nor other agencies, nor, except in cases of willful misconduct, the agents, employees or representatives of any of them engaged in any civil defense, disaster or emergency and the planning or preparation for the same, or disaster or emergency relief activities, acting under proper authority, nor, except in cases of willful misconduct or gross negligence, any person, firm, corporation or entity under contract with them to provide equipment or work to be used in civil defense, disaster or emergency planning, preparation or relief, while complying with or attempting to comply with this act or any rule or regulation promulgated pursuant to the provisions of the act, shall be liable for the death of or any injury to persons or damage to property as a result of such activity. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this act or under the worker's compensation law or under any pension law, nor the right of any such person to receive any benefits or compensation under any act of congress.</p>	Immunity under the State Disaster Preparedness Act
	745 Ill. Comp. Stat.	Any person licensed under the Medical Practice Act of 1987 [225 ILCS 60/1	Good Samaritan Act –

State	Citation(s)	Statute(s)	Note
Illinois (IL)	Ann. 49/25 (LexisNexis 2008)	et seq.] or any person licensed to practice the treatment of human ailments in any other state or territory of the United States who, in good faith, provides emergency care without fee to a person, shall not, as a result of his or her acts or omissions, except willful or wanton misconduct on the part of the person, in providing the care, be liable for civil damages.	Physicians exempted from civil liability for emergency care
	745 Ill. Comp. Stat. Ann. 49/68 (LexisNexis 2008)	<p>Any firefighter, licensed emergency medical technician (EMT) as defined by Section 3.50 of the Emergency Medical Services (EMS) Systems Act [210 ILCS 50/3.50], physician, dentist, podiatrist, optometrist, pharmacist, advanced practice nurse, physician assistant, or nurse who in good faith and without fee or compensation provides health care services as a disaster relief volunteer shall not, as a result of his or her acts or omissions, except willful and wanton misconduct on the part of the person, in providing health care services, be liable to a person to whom the health care services are provided for civil damages. This immunity applies to health care services that are provided without fee or compensation during or within 10 days following the end of a disaster or catastrophic event.</p> <p>The immunity provided in this Section only applies to a disaster relief volunteer who provides health care services in relief of an earthquake, hurricane, tornado, nuclear attack, terrorist attack, epidemic, or pandemic without fee or compensation for providing the volunteer health care services.</p> <p>The provisions of this Section shall not apply to any health care facility as defined in Section 8-2001 of the Code of Civil Procedure [735 ILCS 5/8-2001] or to any practitioner, who is not a disaster relief volunteer, providing health care services in a hospital or health care facility.</p>	Good Samaritan Act – Disaster Relief Volunteers
Indiana (IN)	Ind. Code Ann. § 34-30-12-1 (LexisNexis 2008)	<p>(a) This section does not apply to services rendered by a health care provider (as defined in IC 34-18-2-14 or IC 27-12-2-14 before its repeal) to a patient in a health care facility (as defined in IC 27-8-10-1).</p> <p>(b) Except as provided in subsection (c), a person who comes upon the scene of an emergency or accident, complies with IC 9-26-1-1.5, or is summoned to the scene of an emergency or accident and, in good faith, gratuitously renders emergency care at the scene of the emergency or accident is immune from civil liability for any personal injury that results from:</p> <p>(1) any act or omission by the person in rendering the emergency care; or</p> <p>(2) any act or failure to act to provide or arrange for further medical</p>	Immunity for providing emergency care

State	Citation(s)	Statute(s)	Note
		<p>treatment or care for the injured person;</p> <p>except for acts or omissions amounting to gross negligence or willful or wanton misconduct.</p> <p>(c) This subsection applies to a person to whom IC 16-31-6.5 applies. A person who gratuitously renders emergency care involving the use of an automatic external defibrillator is immune from liability for any act or omission not amounting to gross negligence or willful or wanton misconduct if the person fulfills the requirements set forth in IC 16-31-6.5.</p> <p>(d) This subsection applies to an individual, business, or organization to which IC 16-31-6.5 applies. An individual, business, or organization that allows a person who is an expected user to use an automatic external defibrillator of the individual, business, or organization to in good faith gratuitously render emergency care is immune from civil liability for any damages resulting from an act or omission not amounting to gross negligence or willful or wanton misconduct by the user or for acquiring or providing the automatic external defibrillator to the user for the purpose of rendering the emergency care if the individual, business, or organization and the user fulfill the requirements set forth in IC 16-31-6.5.</p> <p>(e) A licensed physician who gives medical direction in the use of a defibrillator or a national or state approved defibrillator instructor of a person who gratuitously renders emergency care involving the use of an automatic external defibrillator is immune from civil liability for any act or omission of the licensed physician or instructor if the act or omission of the licensed physician or instructor:</p> <p>(1) involves the training for or use of an automatic external defibrillator; and</p> <p>(2) does not amount to gross negligence or willful or wanton misconduct.</p>	
	Ind. Code Ann. § 34-30-13-1.5 (LexisNexis 2008)	<p>Except as provided in section 2 [IC 34-30-13-2] of this chapter, a physician licensed under IC 25-22.5 is immune from civil liability resulting from an act or omission related to the provision of medical direction concerning emergency medical services (as defined in IC 16-18-2-110) within the scope of the physician's license, if the physician provides medical direction concerning emergency medical services:</p> <p>(1) to a person who is certified under IC 16-31 to provide the emergency medical services; and</p>	Immunity of physician licensed under IC 25-22.5 for providing medical direction concerning emergency medical services

State	Citation(s)	Statute(s)	Note
	Ind. Code Ann. § 34-30-13.5-1 <i>et seq.</i> (LexisNexis 2008)	<p>(2) without compensation.</p> <p>34-30-13.5-1. Criteria to establish persons immune from civil liability for act or omission relating to provision of health care services in response to disaster emergency. Except as provided in section 2 [IC 34-30-13.5-2] of this chapter, a person who meets the following criteria may not be held civilly liable for an act or omission relating to the provision of health care services in response to an event that is declared a disaster emergency under IC 10-14-3-12, regardless of whether the provision of health care services occurred before or after the declaration of a disaster emergency:</p> <p>(1) Has a license to provide health care services under Indiana law or the law of another state.</p> <p>(2) Provides a health care service:</p> <p>(A) within the scope of the person's license to another person; and</p> <p>(B) at a location where health care services are provided during an event that is declared as a disaster.</p> <p>34-30-13.5-2. Exception from immunity -- Gross negligence or willful misconduct. A person described in this chapter is not immune from civil liability if the damages resulting from the act or omission relating to the provision of the health care services resulted from the person's gross negligence or willful misconduct.</p> <p>34-30-13.5-3. Immunity for health care services provided in response to event declared a disaster emergency. A facility or other location that is providing health care services in response to an event that is declared as a disaster emergency may not be held civilly liable for an act or omission relating to the provision of health care services in response to that event by a health professional licensed to provide the health care service under Indiana law or the law of another state if the person is acting during an event that is declared as a disaster emergency, regardless of whether the provision of health care services occurred before or after the declaration of a disaster emergency.</p>	Health Care: Immunity for Persons Providing Services in a Disaster
Iowa (IA)	Iowa Code § 613.17 (2008)	(1) A person, who in good faith renders emergency care or assistance without compensation, shall not be liable for any civil damages for acts or omissions occurring at the place of an emergency or accident or while the person is in transit to or from the emergency or accident or while the person is at or being moved to or from an emergency shelter unless such acts or omissions constitute recklessness or willful and wanton misconduct.	Causes of Action – Liability – Emergency assistance in an accident

State	Citation(s)	Statute(s)	Note
		<p>A. For purposes of this subsection, if a volunteer fire fighter, a volunteer operator or attendant of an ambulance or rescue squad service, a volunteer paramedic, a volunteer emergency medical technician, or a volunteer registered member of the national ski patrol system receives nominal compensation not based upon the value of the services performed, that person shall be considered to be receiving no compensation.</p> <p>B. For purposes of this subsection, operation of a motor vehicle in compliance with section 321.231 by a volunteer fire fighter, volunteer operator, or attendant of an ambulance or rescue squad service, a volunteer paramedic, or volunteer emergency medical technician shall be considered rendering emergency care or assistance.</p> <p>C. For purposes of this subsection, a person rendering emergency care or assistance includes a person involved in a workplace rescue arising out of an emergency or accident.</p> <p>(2) The following persons or entities, while acting reasonably and in good faith, who render emergency care or assistance relating to the preparation for and response to a sudden cardiac arrest emergency, shall not be liable for any civil damages for acts or omissions arising out of the use of an automated external defibrillator, whether occurring at the place of an emergency or accident or while such persons are in transit to or from the emergency or accident or while such persons are at or being moved to or from an emergency shelter.</p> <p>A. A person or entity that acquires an automated external defibrillator</p> <p>B. A person or entity that owns, manages or is otherwise responsible for the premises on which an automated external defibrillator is located if the person or entity maintains the automated external defibrillator in a condition for immediate and effective use at all times, subject to standards developed by the Department of Public Health by rule.</p> <p>C. A person who retrieves an automated external defibrillator in response to a perceived sudden cardiac arrest emergency.</p> <p>D. A person who uses, attempts to use, or fails to use an automated external defibrillator in response to a perceived sudden cardiac arrest emergency.</p> <p>E. A person or entity that provides instruction in the use of an automated external defibrillator.</p>	
	Iowa Code § 135.143 (2008)	<p>1. The department shall approve public health response teams to supplement and support disrupted or overburdened local medical and public health personnel, hospitals, and resources. Assistance shall be rendered under the following circumstances:</p> <p>a. At or near the site of a disaster or threatened disaster by providing</p>	Health Related Activities – Disaster Preparedness

State	Citation(s)	Statute(s)	Note
		<p>direct medical care to victims or providing other support services.</p> <p>b. If local medical or public health personnel or hospitals request the assistance of a public health response team to provide direct medical care to victims or to provide other support services in relation to any of the following incidents:</p> <ol style="list-style-type: none"> (1) During an incident resulting from a novel or previously controlled or eradicated infectious agent, disease, or biological toxin. (2) After a chemical attack or accidental chemical release. (3) After an intentional or accidental release of radioactive material. (4) In response to a nuclear or radiological attack or accident. (5) Where an incident poses a high probability of a large number of deaths or long-term disabilities in the affected population. <p>2. A member of a public health response team acting pursuant to this division of this chapter shall be considered an employee of the state under section 29C.21 and chapter 669, shall be afforded protection as an employee of the state under section 669.21, and shall be considered an employee of the state for purposes of workers' compensation, disability, and death benefits, provided that the member has done all of the following:</p> <ol style="list-style-type: none"> a. Registered with and received approval to serve on a public health response team from the department. b. Provided direct medical care or other support services during a disaster, threatened disaster, or other incident described in subsection 1; or participated in a training exercise to prepare for a disaster or other incident described in subsection 1. <p>3. The department shall provide the department of administrative services with a list of individuals who have registered with and received approval from the department to serve on a public health response team. The department shall update the list on a quarterly basis, or as necessary for the department of administrative services to determine eligibility for coverage.</p> <p>4. Upon notification of a compensable loss, the department of administrative services shall seek funding from the executive council for those costs associated with covered workers' compensation benefits.</p>	
	Iowa Code § 135.147 (2008)	<p>1. A person, corporation, or other legal entity, or an employee or agent of such person, corporation, or entity, who, during a public health disaster, in good faith and at the request of or under the direction of the department or the department of public defense renders emergency care or assistance to a victim of the public health disaster shall not be liable for civil damages for</p>	

State	Citation(s)	Statute(s)	Note
		<p>causing the death of or injury to a person, or for damage to property, unless such acts or omissions constitute recklessness.</p> <p>2. The immunities provided in this section shall not apply to any person, corporation, or other legal entity, or an employee or agent of such person, corporation, or entity, whose act or omission caused in whole or in part the public health disaster and who would otherwise be liable therefor.</p>	
Kansas (KS)	Kan. Stat. Ann. § 65-2891 (2008)	<p>(a) Any health care provider who in good faith renders emergency care or assistance at the scene of an emergency or accident including treatment of a minor without first obtaining the consent of the parent or guardian of such minor shall not be liable for any civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such emergency care.</p> <p>(b) Any health care provider may render in good faith emergency care or assistance, without compensation, to any minor requiring such care or assistance as a result of having engaged in competitive sports, without first obtaining the consent of the parent or guardian of such minor. Such health care provider shall not be liable for any civil damages other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such emergency care.</p> <p>(c) Any health care provider may in good faith render emergency care or assistance during an emergency which occurs within a hospital or elsewhere, with or without compensation, until such time as the physician employed by the patient or by the patient's family or by guardian assumes responsibility for such patient's professional care. The health care provider rendering such emergency care shall not be held liable for any civil damages other than damages occasioned by negligence.</p> <p>(d) Any provision herein contained notwithstanding, the ordinary standards of care and rules of negligence shall apply in those cases wherein emergency care and assistance is rendered in any physician's or dentist's office, clinic, emergency room or hospital with or without compensation.</p> <p>(e) As used in this section the term "health care provider" means any person licensed to practice any branch of the healing arts, licensed dentist, licensed optometrist, licensed professional nurse, licensed practical nurse, licensed podiatrist, licensed pharmacist, licensed physical therapist, and any physician assistant who has successfully completed an American</p>	Public Health – Healing Arts – Emergency care by health care providers; liability; standards of care applicable.

State	Citation(s)	Statute(s)	Note
		medical association approved training program and has successfully completed the national board examination for physician assistants of the American board of medical examiners, any licensed athletic trainer, any licensed occupational therapist, any licensed respiratory therapist, any person who holds a valid attendant's certificate under K.S.A. 65-6129, and amendments thereto, any person who holds a valid certificate for the successful completion of a course in first aid offered or approved by the American red cross, by the American heart association, by the mining enforcement and safety administration of the bureau of mines of the department of interior, by the national safety council or by any instructor-coordinator, as defined in K.S.A. 65-6112, and amendments thereto, and any person engaged in a postgraduate training program approved by the state board of healing arts.	
	Kan. Stat. Ann. § 48-915 (2008)	<p>(a) Neither the state nor any political subdivision of the state, nor the agents or representatives of the state or any political subdivision thereof, shall be liable for personal injury or property damage sustained by any person appointed or acting as a volunteer worker, or member of any agency, engaged in emergency management activities. The foregoing shall not affect the right of any person to receive benefits or compensation to which such person otherwise may be entitled under the workers compensation law or any pension law or any act of congress.</p> <p>(b) Whenever a proclamation is issued declaring a state of disaster emergency pursuant to K.S.A. 48-924, and amendments thereto, neither the state nor any political subdivision of the state nor, except in cases of willful misconduct, gross negligence or bad faith, the employees, agents, or representatives of the state or any political subdivision thereof, nor any volunteer worker, or member of any agency, engaged in any emergency management activities, complying with or reasonably attempting to comply with this act, or any proclamation, order, rule and regulation promulgated pursuant to the provisions of this act, or pursuant to any ordinance relating to blackout or other precautionary measures enacted by any political subdivision of the state, shall be liable for the death of or injury to persons, or for damage to property, as a result of any such activity performed during the existence of such state of disaster emergency or other such state of emergency.</p> <p>(c) Any member of a regional medical emergency response team created under the provisions of K.S.A. 48-928, and amendments thereto, shall be deemed a state employee under the Kansas tort claims act, K.S.A. 75-</p>	Emergency disaster preparedness (Immunity from liability of the state, local governments and certain individuals; Kansas tort claims act, applicability)

State	Citation(s)	Statute(s)	Note
		6101, et seq., and amendments thereto.	
	Kan. Stat. Ann. § 60-3601 (2008)	<p>(a) As used in this section:</p> <p>(1) "Nonprofit organization" means those nonprofit organizations exempt from federal income tax pursuant to section 501(c) of the Internal Revenue Code of 1986, as in effect on the effective date of this act.</p> <p>(2) "Compensation" does not include actual and necessary expenses that are incurred by a volunteer in connection with the services that the volunteer performs for a nonprofit organization and that are reimbursed to the volunteer or otherwise paid.</p> <p>(3) "Volunteer" means an officer, director, trustee or other person who performs services for a nonprofit organization but does not receive compensation, either directly or indirectly, for those services. Volunteer does not include a person who delivers health care services to patients in a medical care facility as defined in K.S.A. 65-425 and amendments thereto.</p> <p>(b) If a nonprofit organization carries general liability insurance coverage, a volunteer of such organization shall not be liable for damages in a civil action for acts or omissions as such volunteer unless: (1) Such conduct constitutes willful or wanton misconduct or intentionally tortious conduct; or (2) such volunteer is required to be insured by law or is otherwise insured against such acts or omissions but, in such case, liability shall be only to the extent of the insurance coverage.</p> <p>(c) If a nonprofit organization carries general liability insurance coverage, a volunteer of such organization shall not be liable for damages in a civil action for the actions or omissions of any of the officers, directors, trustees, employees or other volunteers of the nonprofit organization unless: (1) The volunteer authorizes, approves, ratifies or otherwise actively participates in the action or omission and the action or omission constitutes willful or wanton misconduct or intentionally tortious conduct; or (2) such volunteer is required to be insured by law or is otherwise insured against such acts or omissions but, in such case, liability shall be only to the extent of the insurance coverage.</p> <p>(d) Nothing in this section shall be construed to affect the liability of a nonprofit organization for damages caused by the negligent or wrongful act or omission of its volunteer and a volunteer's negligence or wrongful act or omission, when acting as a volunteer, shall be imputed to the nonprofit organization for the purpose of apportioning liability for damages to a third party pursuant to K.S.A. 60-258a and amendments thereto.</p>	

State	Citation(s)	Statute(s)	Note
Kentucky (KY)	Ky. Rev. Stat. Ann. § 39A.350-39A.366 (LexisNexis 2008)		Uniform Emergency Volunteer Health Practitioner's Act
	Ky. Rev. Stat. Ann. § 411.148 (LexisNexis 2008)	<p>(1) No physician licensed under KRS Chapter 311, registered or practical nurse licensed under KRS Chapter 314, person certified as an emergency medical technician by the Kentucky Cabinet for Health and Family Services, person certified by the American Heart Association or the American Red Cross to perform cardiopulmonary resuscitation, or employee of any board of education established pursuant to the provision of KRS 160.160, who has completed a course in first aid and who maintains current certification therein in accordance with the standards set forth by the American Red Cross shall be liable in civil damages for administering emergency care or treatment at the scene of an emergency outside of a hospital, doctor's office, or other place having proper medical equipment excluding house calls, for acts performed at the scene of such emergency, unless such acts constitute willful or wanton misconduct.</p> <p>(2) Nothing in this section applies to the administering of such care or treatment where the same is rendered for remuneration or with the expectation of remuneration.</p> <p>(3) The administering of emergency care or treatment at the scene of an emergency by employees of a board of education shall not be considered to be rendered for remuneration or with the expectation of remuneration because such personnel perform such care as part of their regular professional or work responsibilities for which they receive their regular salaries from the school board which is their employer.</p>	Nonliability of licensees and certified technicians for emergency care
Louisiana (LA)	La. Rev. Stat. Ann. § 37:1731 (2008)	<p>A. (1) A physician, surgeon, or physician assistant licensed under the provisions of Chapter 15 of this Title, his professional medical corporation chartered under the provisions of R.S. 12:901 et seq., or his limited liability company, or a nurse licensed under the provisions of Chapter 11 of this Title who in good faith gratuitously renders emergency care or services at the scene of an emergency, to a person in need thereof shall not be liable for any civil damages as a result of any act or omission in rendering such care or services or as a result of any act or failure to act to provide or arrange for further medical treatment or care for the person involved in said emergency, unless the damage or injury was caused by willful or wanton misconduct or gross negligence.</p> <p>(2) (a) A physician, on-call physician, or surgeon or oral and maxillofacial surgeon, or his professional medical or dental corporation or limited liability</p>	Good Samaritan Law

State	Citation(s)	Statute(s)	Note
		<p>company or nurse, licensed or qualified as provided in Paragraph (A)(1) of this Section, or an intern, or resident of a public or private hospital or other medical health care facility licensed in this state, who in good faith responds to an imminent life-threatening situation or emergency within the hospital or facility and whose actual duty in the hospital or facility did not require a response to an emergency situation shall not be liable for civil damages resulting from any act or omission in rendering the emergency care or service or from failure to provide or arrange for further medical care or treatment of the person involved, unless the damage or injury was caused by willful or wanton misconduct or gross negligence.</p> <p>(b) The limitation of liability provided in Subparagraph (2)(a) of this Subsection shall not apply when, prior to the advent of the imminent life-threatening situation or emergency, the physician or surgeon or his professional medical corporation or limited liability company was a contemporaneously attending or consulting physician or surgeon to the person involved or when the nurse was a contemporaneously attending nurse to the person involved.</p> <p>(c) An on-call physician or oral and maxillofacial surgeon who gratuitously attends, assists, or treats a patient who comes into an emergency room or department, including any appropriate standard of care treatment necessitated by the patient's emergent condition, shall not be liable for civil damages resulting from any act or omission in rendering the emergency care or service to a patient, with whom there has been no prior physician-patient relationship or from failure to provide or arrange for further medical care or treatment to such patient unless the damage or injury was caused by willful or wanton misconduct or gross negligence.</p> <p>(d) For purposes of this Subsection, "on-call physician" means a physician, or oral and maxillofacial surgeon or his professional medical or dental corporation or limited liability company, who is not primarily employed or contracted by the hospital or other licensed medical health care facility to treat emergency room or department patients, but whose actual duties may include treating emergency room or department patients due to the requirements of 42 C.F.R. 489.24 or R.S. 40:2113.4 to respond to the emergency room or department on an on-call basis and as a condition of the privilege or ability to practice his profession within the hospital or facility.</p> <p>B. Any physician, surgeon, or member of the medical profession who is not</p>	

State	Citation(s)	Statute(s)	Note
		<p>licensed to practice medicine in Louisiana but who holds a valid license to practice medicine in any other state of the United States who gratuitously renders care or services at the scene of an emergency as herein provided shall not be charged with violation of the Louisiana Medical Practice Act.</p> <p>C. No veterinarian licensed under the provisions of Chapter 18 of this Title, who in good faith gratuitously renders emergency care or services or assistance at the scene of an emergency to an animal or animals in need thereof, shall be liable for any civil damages as a result of any act or omission by such person in rendering the care or services or assistance, or as a result of any act or failure to act to provide or arrange for further veterinary medical treatment or care for the animal involved in the said emergency.</p> <p>D. No dentist licensed under the provisions of Chapter 9 of this Title, who in good faith gratuitously renders emergency care or services at the scene of an emergency, except in a licensed dentist office or public or private hospital, to a person or persons in need thereof shall be liable for any civil damages as a result of any act or omission by such person in rendering the care or services or as a result of any act or failure to act to provide or arrange for further dental care or treatment or care for the person involved in the emergency.</p> <p>E. (1) No emergency medical technician who in good faith gratuitously renders emergency care or services at the scene of an emergency to a person or persons in need thereof shall be liable for any civil damages as a result of any act or omission in rendering the care or services or as a result of any act or failure to act to provide or arrange for further medical treatment or care for the person involved in the emergency.</p> <p>(2) For purposes of this Section, "emergency medical technician" means a certified first responder as defined in R.S. 40:1231(10) and a certified emergency medical technician as defined in R.S. 40:1231(3), (4), or (5).</p>	
	La. Rev. Stat. Ann. § 29:735.1 and 2 (2008)	<p>§ 29:735.1</p> <p>During a declared state of emergency anywhere in the state, any health care provider who in good faith voluntarily renders emergency care or first aid to assist persons injured as a result of the emergency whether the aid is rendered in the area subject to the declaration of emergency or elsewhere shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of gross negligence or willful misconduct.</p>	LA Homeland Security and Emergency Assistance and Disaster Act – Immunity of health care providers

State	Citation(s)	Statute(s)	Note
		<p>§ 29:735.2</p> <p>A. During a declared state of emergency, any health care provider who in good faith voluntarily renders emergency care, health care services, or first aid in areas subject to the declared state of emergency without charge to the recipient shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of gross negligence or willful misconduct.</p> <p>B. Health care providers from other states employed by a corporate entity for the sole purpose of providing health care services to workers of that company and their family members at the work site may offer services in good faith and within the reasonable scope of their skills, training, and ability during a declared state of emergency and in areas subject to the declared state of emergency. They shall possess a current professional license and be in good standing in their state and shall have in their personal possession a copy of their state license and photo identification. Health care providers who render services in accordance with this Section shall additionally present a copy of their state license and photo identification to the appropriate Louisiana licensing board as soon as they are able to electronically transmit the documents from the work site or within two weeks of beginning service.</p> <p>C. Corporate entities shall be responsible for deploying licensed health care professionals in good standing in their respective state.</p>	
	La. Rev. Stat. Ann. § 9:2793 <i>et seq.</i> (2008)	<p>A. No person who in good faith gratuitously renders emergency care, first aid or rescue at the scene of an emergency, or moves a person receiving such care, first aid or rescue to a hospital or other place of medical care shall be liable for any civil damages as a result of any act or omission in rendering the care or services or as a result of any act or failure to act to provide or arrange for further medical treatment or care for the person involved in the said emergency; provided, however, such care or services or transportation shall not be considered gratuitous, and this Section shall not apply when rendered incidental to a business relationship, including but not limited to that of employer-employee, existing between the person rendering such care or service or transportation and the person receiving the same, or when incidental to a business relationship existing between the employer or principal of the person rendering such care, service or transportation and the employer or principal of the person receiving such care, service or transportation. This Section shall not exempt from liability</p>	

State	Citation(s)	Statute(s)	Note
		<p>those individuals who intentionally or by grossly negligent acts or omissions cause damages to another individual.</p> <p>B. The immunity herein granted shall be personal to the individual rendering such care or service or furnishing such transportation and shall not inure to the benefit of any employer or other person legally responsible for the acts or omissions of such individual, nor shall it inure to the benefit of any insurer.</p>	
Maine (ME)	Me. Rev. Stat. Ann. tit. 32, § 2594 (2008)	An osteopathic physician licensed under this chapter, 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.	Immunity of licensee rendering emergency care
	Me. Rev. Stat. Ann. tit. 24, § 2904 (2008)	<p>1. HEALTH CARE PRACTITIONERS. Notwithstanding any inconsistent provision of any public or private and special law, an individual is not liable for an injury or death arising from medical services provided as described in this subsection unless the injury or death was caused willfully, wantonly or recklessly or by gross negligence of the individual if that individual is:</p> <p>A. A licensed health care practitioner who voluntarily, without the expectation or receipt of monetary or other compensation either directly or indirectly, provides professional services within the scope of that health care practitioner's licensure:</p> <ol style="list-style-type: none"> 1) To a nonprofit organization; 2) To an agency of the State or any political subdivision of the State; 3) To members or recipients of services of a nonprofit organization or state or local agency; 4) To support the State's response to a public health threat as defined in Title 22, section 801, subsection 10; 5) To support the State's response to an extreme public health emergency as defined in Title 22, section 801, subsection 4-A; or 6) To support the State's response to a disaster as defined in Title 37-B, section 703, subsection 2; or <p>B. An emergency medical services person who voluntarily, without the expectation or receipt of monetary or other compensation either directly or indirectly, provides emergency medical services within the scope of that person's licensure:</p> <ol style="list-style-type: none"> 1) To support the State's response to a public health threat as defined in Title 22, section 801, subsection 10; 2) To support the State's response to an extreme public health emergency as defined in Title 22, section 801, subsection 4-A; or 3) To support the State's response to a disaster as defined in Title 	Insurance – Health Security Act – Immunity from civil liability for volunteer activities

State	Citation(s)	Statute(s)	Note
		<p>37-B, section 703, subsection 2.</p> <p>2. RETIRED PHYSICIANS, PODIATRISTS AND DENTISTS. Notwithstanding any inconsistent provision of any public or private and special law, a licensed physician, podiatrist or dentist who has retired from practice and who voluntarily, without the expectation or receipt of monetary or other compensation either directly or indirectly, provides professional services within the scope of that physician's, podiatrist's or dentist's licensure is not liable for an injury or death arising from those services unless the injury or death was caused willfully, wantonly or recklessly by the physician, podiatrist or dentist for professional services provided:</p> <ul style="list-style-type: none"> A. To a nonprofit organization; B. To an agency of the State or any political subdivision of the State; C. To members or recipients of services of a nonprofit organization or state or local agency; D. To support the State's response to a public health threat as defined in Title 22, section 801, subsection 10; E. To support the State's response to an extreme public health emergency as defined in Title 22, section 801, subsection 4-A; or F. To support the State's response to a disaster as defined in Title 37-B, section 703, subsection 2. <p>The extended immunity under this subsection applies only if the licensed physician, podiatrist or dentist is retired from practice, possessed an unrestricted license in the relevant profession and had not been disciplined by the licensing board in the previous 5 years at the time of the act or omission causing the injury.</p> <p>3. DEFINITIONS. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.</p> <ul style="list-style-type: none"> A. "Dentist" means a person who practices dentistry according to the provisions of Title 32, section 1081. B. "Health care practitioner" has the same meaning as in section 2502. C. "Nonprofit organization" does not include a hospital. D. "Podiatrist" has the same meaning as in Title 32, section 3551. E. "Emergency medical services person" includes a first responder, as defined in Title 32, section 83, subsection 13-A; a basic emergency medical technician, as defined in Title 32, section 83, subsection 7; and an advanced emergency medical technician, as defined in Title 32, section 83, subsection 1. 	
	Md. Code Ann., Cts.	(a) In general. -- A person described in subsection (b) of this section is not	Immunities and

State	Citation(s)	Statute(s)	Note
Maryland (MD)	& Jud. Proc. § 5-603 (LexisNexis 2008)	<p>civilly liable for any act or omission in giving any assistance or medical care, if:</p> <ul style="list-style-type: none"> (1) The act or omission is not one of gross negligence; (2) The assistance or medical care is provided without fee or other compensation; and (3) The assistance or medical care is provided: <ul style="list-style-type: none"> (i) At the scene of an emergency; (ii) In transit to a medical facility; or (iii) Through communications with personnel providing emergency assistance. <p>(b) Applicability. -- Subsection (a) of this section applies to the following:</p> <ul style="list-style-type: none"> (1) An individual who is licensed by this State to provide medical care; (2) A member of any State, county, municipal, or volunteer fire department, ambulance and rescue squad, or law enforcement agency, the National Ski Patrol System, or a corporate fire department responding to a call outside of its corporate premises, if the member: <ul style="list-style-type: none"> (i) Has completed an American Red Cross course in advanced first aid and has a current card showing that status; (ii) Has completed an equivalent of an American Red Cross course in advanced first aid, as determined by the Secretary of Health and Mental Hygiene; or (iii) Is certified or licensed by this State as an emergency medical services provider; (3) A volunteer fire department or ambulance and rescue squad whose members have immunity; and (4) A corporation when its fire department personnel are immune under paragraph (2) of this subsection. <p>(c) Immunity for individual not covered by this section. -- An individual who is not covered otherwise by this section is not civilly liable for any act or omission in providing assistance or medical aid to a victim at the scene of an emergency, if:</p> <ul style="list-style-type: none"> (1) The assistance or aid is provided in a reasonably prudent manner; (2) The assistance or aid is provided without fee or other compensation; and (3) The individual relinquishes care of the victim when someone who is licensed or certified by this State to provide medical care or services becomes available to take responsibility. 	Prohibited Actions – Emergency medical care
	Md. Code Ann.,	A health care provider is immune from civil or criminal liability if the health	Governor's Health

State	Citation(s)	Statute(s)	Note
	Pub. Safety § 14-3A-06 (LexisNexis 2008)	care provider acts in good faith and under a catastrophic health emergency proclamation.	Emergency Powers – Immunity
Massachusetts (MA)	Mass. Gen. Laws ch. 112, § 12B (LexisNexis 2008)	No physician duly registered under the provisions of section two, two A, nine, nine A or nine B, no physician assistant duly registered under the provisions of section nine I or his employing or supervising physician, and no nurse duly registered or licensed under the provisions of section seventy-four, seventy-four A or seventy-six, or resident in another state, in the District of Columbia or in a province of Canada, and duly registered therein, who, in good faith, as a volunteer and without fee, renders emergency care or treatment, other than in the ordinary course of his practice, shall be liable in a suit for damages as a result of his acts or omissions, nor shall he be liable to a hospital for its expenses if, under such emergency conditions, he orders a person hospitalized or causes his admission.	Administration of the Government - Exemption From Civil Liability for Emergency Care or Treatment
Michigan (MI)	Mich. Comp. Laws Serv. § 691.1501 (LexisNexis 2008)	Sec. 1. (1) 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, if a physician-patient relationship, physician's assistant-patient relationship, registered professional nurse-patient relationship, or licensed practical nurse-patient relationship did not exist before the emergency, is not liable for civil damages as a result of acts or omissions by the physician, physician's assistant, registered professional nurse, or licensed practical nurse in rendering the emergency care, except acts or omissions amounting to gross negligence or willful and wanton misconduct. (2) A physician or physician's assistant who in good faith performs a physical examination without compensation upon an individual to determine the individual's fitness to engage in competitive sports and who has obtained a form described in this subsection signed by the individual or, if the individual is a minor, by the parent or guardian of the minor, is not liable for civil damages as a result of acts or omissions by the physician or physician's assistant in performing the physical examination, except acts or omissions amounting to gross negligence or willful and wanton misconduct or which are outside the scope of the license held by the physician or physician's assistant. The form required by this subsection shall contain a statement indicating that the person signing the form knows that the physician or physician's assistant is not necessarily performing a complete physical examination and is not liable under this section for civil damages as a result of acts or omissions by the physician or physician's assistant in performing the physical examination, except acts or omissions amounting to gross negligence or willful and wanton misconduct or which are outside	Judiciary – Liability of certain persons for emergency care

State	Citation(s)	Statute(s)	Note
		<p>the scope of the license held by the physician or physician's assistant.</p> <p>(3) A physician, physician's assistant, registered professional nurse, or licensed practical nurse who in good faith renders emergency care without compensation to an individual requiring emergency care as a result of having engaged in competitive sports is not liable for civil damages as a result of acts or omissions by the physician, physician's assistant, registered professional nurse, or licensed practical nurse in rendering the emergency care, except acts or omissions amounting to gross negligence or willful and wanton misconduct and except acts or omissions that are outside the scope of the license held by the physician, physician's assistant, registered professional nurse, or licensed practical nurse. This subsection applies to the rendering of emergency care to a minor even if the physician, physician's assistant, registered professional nurse, or licensed practical nurse does not obtain the consent of the parent or guardian of the minor before the emergency care is rendered.</p> <p>(4) As used in this act:</p> <p>(a) "Competitive sports" means sports conducted as part of a program sponsored by a public or private school that provides instruction in grades kindergarten through 12 or a charitable or volunteer organization. Competitive sports do not include sports conducted as part of a program sponsored by a public or private college or university.</p> <p>(b) "Licensed practical nurse" means an individual licensed to engage in the practice of nursing as a licensed practical nurse under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.</p> <p>(c) "Physician" means an individual licensed to engage in the practice of medicine or the practice of osteopathic medicine and surgery under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.</p> <p>(d) "Physician's assistant" means an individual licensed to engage in the practice of medicine or the practice of osteopathic medicine and surgery performed under the supervision of a physician as provided in article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.</p> <p>(e) "Registered professional nurse" means an individual licensed to engage in the practice of nursing under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.</p>	
	Mich. Comp. Laws Serv. § 30.411 (LexisNexis 2008)	<p>Sec. 11. (1) Personnel of disaster relief forces while on duty are subject to all of the following provisions:</p> <p>(a) If they are employees of this state, they have the powers, duties, rights, privileges, and immunities of and receive the compensation incidental to their employment.</p> <p>(b) If they are employees of a political subdivision of this state, regardless</p>	Emergency Management Act

State	Citation(s)	Statute(s)	Note
		<p>of where serving, they have the powers, duties, rights, privileges, and immunities and receive the compensation incidental to their employment.</p> <p>(c) If they are not employees of this state or a political subdivision of this state, they are entitled to the same rights and immunities as provided by law for the employees of this state. All personnel of disaster relief forces shall, while on duty, be subject to the operational control of the authority in charge of disaster relief activities in the area in which they are serving, and shall be reimbursed for all actual and necessary travel and subsistence expenses.</p> <p>(2) This state, any political subdivision of this state, or the employees, agents, or representatives of this state or any political subdivision of this state are not liable for personal injury or property damage sustained by any person appointed or acting as a member of disaster relief forces. This act does not affect the right of a person to receive benefits or compensation to which he or she may otherwise be entitled to under the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941, any pension law, or any act of congress.</p> <p>(3) This state or a political subdivision of this state engaged in disaster relief activity is not liable for the death of or injury to a person or persons, or for damage to property, as a result of that activity. The employees, agents, or representatives of this state or a political subdivision of this state and nongovernmental disaster relief force workers or private or volunteer personnel engaged in disaster relief activity are immune from tort liability to the extent provided under section 7 of 1964 PA 170, MCL 691.1407. As used in this section, "disaster relief activity" includes training for or responding to an actual, impending, mock, or practice disaster or emergency.</p> <p>(4) A person licensed to practice medicine or osteopathic medicine and surgery or a licensed hospital, whether licensed in this or another state or by the federal government or a branch of the armed forces of the United States, or an individual listed in subsection (6), who renders services during a state of disaster declared by the governor and at the express or implied request of a state official or agency or county or local coordinator or executive body, is considered an authorized disaster relief worker or facility and is not liable for an injury sustained by a person by reason of those services, regardless of how or under what circumstances or by what cause those injuries are sustained. The immunity granted by this subsection does not apply in the event of an act or omission that is willful or gross negligence. If a civil action for malpractice is filed alleging an act or omission that is willful or gross negligence resulting in injuries, the services rendered that resulted in those injuries shall be judged according</p>	

State	Citation(s)	Statute(s)	Note
		<p>to the standards required of persons licensed in this state to perform those services.</p> <p>(5) An individual listed in subsection (6) , during a state of disaster declared by the governor, 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> <p>(6) Subsections (4) and (5) apply to all of the following individuals:</p> <p>(a) Any of the following, if licensed in this or another state or by the federal government or a branch of the armed forces of the United States:</p> <ul style="list-style-type: none"> (i) A registered nurse. (ii) A practical nurse. (iii) A nursing student acting under the supervision of a licensed nurse. (iv) A dentist. (v) A veterinarian. (vi) A pharmacist. (vii) A pharmacist intern acting under the supervision of a licensed pharmacist. (viii) A paramedic. <p>(b) A medical resident undergoing training in a licensed hospital in this or another state.</p> <p>(7) A person owning or controlling real estate or other premises who voluntarily and without compensation grants to this state or a political subdivision of this state a license or privilege, or otherwise permits this state or a political subdivision of this state to inspect, designate, and use the whole or any part or parts of the real estate or other premises for the purpose of sheltering persons during an actual, impending, mock, or practice disaster, together with his or her successors in interest, if any, is not civilly liable for negligently causing the death of or injury to any person on or about the real estate or premises under the license, privilege, or permission or for loss or damage to the property of the person.</p> <p>(8) A person owning or controlling real estate or other premises who has gratuitously granted the use of the real estate or other premises for the purposes stated in this section is legally obligated to make known to the licensee any hidden dangers or safety hazards that are known to the owner or occupant of the real estate or premises that might possibly result in the death or injury or loss of property to a person using the real estate or premises.</p> <p>(9) As used in this section, "gross negligence" means conduct so reckless</p>	

State	Citation(s)	Statute(s)	Note
		as to demonstrate a substantial lack of concern for whether an injury results.	
Minnesota (MN)	Minn. Stat. § 604A.01 (2008)	<p>Subdivision 1. Duty to assist. A person at the scene of an emergency who knows that another person is exposed to or has suffered grave physical harm shall, to the extent that the person can do so without danger or peril to self or others, give reasonable assistance to the exposed person. Reasonable assistance may include obtaining or attempting to obtain aid from law enforcement or medical personnel. A person who violates this subdivision is guilty of a petty misdemeanor.</p> <p>Subd. 2. General immunity from liability. (a) A person who, without compensation or the expectation of compensation, renders emergency care, advice, or assistance at the scene of an emergency or during transit to a location where professional medical care can be rendered, is not liable for any civil damages as a result of acts or omissions by that person in rendering the emergency care, advice, or assistance, unless the person acts in a willful and wanton or reckless manner in providing the care, advice, or assistance. This subdivision does not apply to a person rendering emergency care, advice, or assistance during the course of regular employment, and receiving compensation or expecting to receive compensation for rendering the care, advice, or assistance.</p> <p>(b) For the purposes of this section, the scene of an emergency is an area outside the confines of a hospital or other institution that has hospital facilities, or an office of a person licensed to practice one or more of the healing arts under chapter 147, 147A, 148, 150A, or 153. The scene of an emergency includes areas threatened by or exposed to spillage, seepage, fire, explosion, or other release of hazardous materials, and includes ski areas and trails.</p> <p>(c) For the purposes of this section, "person" includes a public or private nonprofit volunteer firefighter, volunteer police officer, volunteer ambulance attendant, volunteer first provider of emergency medical services, volunteer ski patroller, and any partnership, corporation, association, or other entity.</p> <p>(d) For the purposes of this section, "compensation" does not include payments, reimbursement for expenses, or pension benefits paid to members of volunteer organizations.</p>	Good Samaritan Law

State	Citation(s)	Statute(s)	Note
		<p>(e) For purposes of this section, "emergency care" includes providing emergency medical care by using or providing an automatic external defibrillator, unless the person on whom the device is to be used objects; or unless the person is rendering this care during the course of regular employment, the person is receiving or expects to receive compensation for rendering this care, and the usual and regular duties of the person include the provision of emergency medical care. "Automatic external defibrillator" means a medical device heart monitor and defibrillator that:</p> <p>(1) has received approval of its premarket notification, filed pursuant to United States Code, title 21, section 360(k), from the United States Food and Drug Administration;</p> <p>(2) is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and is capable of determining, without intervention by an operator, whether defibrillation should be performed; and</p> <p>(3) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.</p>	
	Minn. Stat. § 12.61 (2008)	<p>Subdivision 1. Definitions.</p> <p>For purposes of this section:</p> <p>(a) "Emergency plan" includes:</p> <p>(i) any plan for managing an emergency threatening public health developed by the commissioner of health or a local public health agency;</p> <p>(ii) any plan for managing an emergency threatening public health developed by one or more hospitals, clinics, nursing homes, or other health care facilities or providers and approved by the commissioner of health or local public health agency in consultation with emergency management officials; or</p> <p>(iii) any provision for assistance by out-of-state responders under interstate or international compacts, including but not limited to the Emergency Management Assistance Compact.</p> <p>(b) "Regional hospital system" means all hospitals in one of the hospital bioterrorism preparedness program geographic regions of the state set forth in the most recent hospital preparedness plan available on the Department of Health Web site at www.health.state.mn.us/oep.</p> <p>(c) "Responder" means any person or organization whether paid or volunteer that provides health care or other health-related services in an emergency including, but not limited to, physicians, physician assistants, registered and other nurses, certified nursing assistants, or other staff</p>	Temporary medical care facilities

State	Citation(s)	Statute(s)	Note
		<p>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, and persons not registered as first responders but affiliated with a medical response unit and dispatched to the scene of an emergency by a public safety answering point or licensed ambulance service.</p> <p>Subd. 2. Emergency executive order.</p> <p>(a) During a national security emergency or a peacetime emergency declared under section 12.31, the governor may issue an emergency executive order upon finding that the number of seriously ill or injured persons exceeds the emergency hospital or medical transport capacity of one or more regional hospital systems and that care for those persons has to be given in temporary care facilities.</p> <p>(b) During the effective period of the emergency executive order, a responder in any impacted region acting consistent with emergency plans is not liable for any civil damages or administrative sanctions as a result of good-faith acts or omissions by that responder in rendering emergency care, advice, or assistance. This section does not apply in case of malfeasance in office or willful or wanton actions.</p>	
Mississippi (MS)	Miss. Code Ann. § 73-25-37 (2008)	<p>(1) No duly licensed, practicing physician, physician assistant, dentist, registered nurse, licensed practical nurse, certified registered emergency medical technician, or any other person who, in good faith and in the exercise of reasonable care, renders emergency care to any injured person at the scene of an emergency, or in transporting the injured person to a point where medical assistance can be reasonably expected, shall be liable for any civil damages to the injured person as a result of any acts committed in good faith and in the exercise of reasonable care or omissions in good faith and in the exercise of reasonable care by such persons in rendering the emergency care to the injured person.</p> <p>(2) (a) Any person who in good faith, with or without compensation, renders emergency care or treatment by the use of an automated external defibrillator (AED) in accordance with the provisions of Sections 41-60-31 through 41-60-35, as well as the person responsible for the site where the AED is located if the person has provided for compliance with the</p>	Professions and vocations

State	Citation(s)	Statute(s)	Note
		<p>provisions of Sections 41-60-31 through 41-60-35, shall be immune from civil liability for any personal injury as a result of that care or treatment, or as a result of any act, or failure to act, in providing or arranging further medical treatment, where the person acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances and the person's actions or failure to act does not amount to willful or wanton misconduct or gross negligence.</p> <p>(b) A person who has not complied with the provisions of Sections 41-60-31 through 41-60-35, but who has access to an AED and uses it in good faith in an emergency as an ordinary prudent person would have done in the same or similar circumstances, shall be immune from civil liability for any personal injury as a result of an act or omission related to the operation of or failure to operate an AED if the person's actions or failure to act do not amount to willful or wanton misconduct or gross negligence.</p> <p>(3) The immunity from civil liability for any personal injury under subsection (2) of this section includes the licensed physician who authorizes, directs or supervises the installation or provision of AED equipment in or on any premises or conveyance other than a medical facility, the owner of the premises where an AED is used, the purchaser of the AED, a person who uses an AED during an emergency for the purpose of attempting to save the life of another person who is or who appears to be in cardiac arrest, and the person who provides the CPR and AED training.</p> <p>(4) The immunity from civil liability under subsection (2) of this section does not apply if the personal injury results from the gross negligence or willful or wanton misconduct of the person rendering the emergency care.</p>	
	Miss. Code Ann. § 33-15-21 (2008)	<p>(a) Neither the state nor any political subdivision thereof, nor other agencies, nor, except in cases of willful misconduct, the agents, employees, or representatives of any of them engaged in any emergency management activities, while complying with or attempting to comply with this article or any rule or regulation promulgated pursuant to the provisions of this article, shall be liable for the death of or any injury to persons, or damage to property, as a result of such activity. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this article, or under the workmen's compensation law, or under any pension law, nor the right of any such person to receive any benefits or compensation under any act of congress.</p> <p>(b) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege, or</p>	Emergency Management Law – Immunity

State	Citation(s)	Statute(s)	Note
		otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for the purpose of sheltering persons or providing assistance to persons during or in recovery from an actual, impending, mock or practice attack or any man-made, technological or natural disaster, together with his successors in interest, if any, shall not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises by virtue of its use for emergency management purposes, or loss of, or damage to, the property of such person.	
Missouri (MO)	Mo. Rev. Stat. § 537.037 (2008)	<p>1. Any physician or surgeon, registered professional nurse or licensed practical nurse licensed to practice in this state under the provisions of chapter 334 or 335, RSMo, or licensed to practice under the equivalent laws of any other state and any person licensed as a mobile emergency medical technician under the provisions of chapter 190, RSMo, may:</p> <p>(1) In good faith render emergency care or assistance, without compensation, at the scene of an emergency or accident, and shall not be liable for any civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such emergency care;</p> <p>(2) In good faith render emergency care or assistance, without compensation, to any minor involved in an accident, or in competitive sports, or other emergency at the scene of an accident, without first obtaining the consent of the parent or guardian of the minor, and shall not be liable for any civil damages other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering the emergency care.</p> <p>2. Any other person who has been trained to provide first aid in a standard recognized training program may, without compensation, render emergency care or assistance to the level for which he or she has been trained, at the scene of an emergency or accident, and shall not be liable for civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such emergency care.</p> <p>3. Any mental health professional, as defined in section 632.005, RSMo, or substance abuse counselor, as defined in section 631.005, RSMo, or any practicing medical, osteopathic, or chiropractic physician, or certified nurse practitioner, or physicians' assistant may in good faith render suicide</p>	Good Samaritan Law

State	Citation(s)	Statute(s)	Note
		<p>prevention interventions at the scene of a threatened suicide and shall not be liable for any civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such suicide prevention interventions.</p> <p>4. Any other person who has been trained to provide suicide prevention interventions in a standard recognized training program may, without compensation, render suicide prevention interventions to the level for which such person has been trained at the scene of a threatened suicide and shall not be liable for civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such suicide prevention interventions.</p>	
	Mo. Rev. Stat. § 44.045 (2008)	<p>1. Subject to approval by the state emergency management agency during an emergency declared by the governor, any health care provider licensed, registered, or certified in this state or any state who agrees to be so deployed as provided in this section may be deployed to provide care as necessitated by the emergency, including care necessitated by mutual aid agreements between political subdivisions and other public and private entities under section 44.090. During an emergency declared by the governor, health care providers deployed by the governor or any state agency shall not be liable for any civil damages or administrative sanctions for any failure, in the delivery of health care necessitated by the emergency during deployment, to exercise the skill and learning of an ordinarily careful health care provider in similar circumstances, but shall be liable for damages due to willful and wanton acts or omissions in rendering such care.</p> <p>2. In a declared state of emergency, the department of health and senior services and the division of professional registration within the department of insurance, financial institutions and professional registration may release otherwise confidential contact and licensure, registration, or certification information relating to health care professionals to state, local, and private agencies to facilitate deployment</p>	Emergency Management
Montana (MT)	Mont. Code Ann. § 27-1-714 (2008)	(1) Any person licensed as a physician and surgeon under the laws of the state of Montana, any volunteer firefighter or officer of any nonprofit volunteer fire company, or any other person who in good faith renders emergency care or assistance without compensation except as provided in subsection (2) at the scene of an emergency or accident is not liable for any civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person	

State	Citation(s)	Statute(s)	Note
		<p>in rendering such emergency care or assistance.</p> <p>(2) Subsection (1) includes a person properly trained under the laws of this state who operates an ambulance to and from the scene of an emergency or renders emergency medical treatment on a volunteer basis so long as the total reimbursement received for such volunteer services does not exceed 25% of his gross annual income or \$ 3,000 a calendar year, whichever is greater.</p> <p>(3) If a nonprofit subscription fire company refuses to fight a fire on nonsubscriber property, such refusal does not constitute gross negligence or a willful or wanton act or omission.</p>	
	Mont. Code Ann. § 10-3-111 (2008)	<p>(1) The state, a political subdivision of the state, or the agents or representatives of the state or a political subdivision of the state are not liable for personal injury or property damage sustained by a person appointed or acting as a volunteer civilian defense worker or member of an agency engaged in civilian defense activity during an incident, disaster, or emergency. This section does not affect the right of a person to receive benefits or compensation to which the person might otherwise be entitled under the workers' compensation law or a pension law or an act of congress.</p> <p>(2) The state or a political subdivision of the state or, except in cases of willful misconduct, gross negligence, or bad faith, the employees, agents, or representatives of the state or a political subdivision of the state or a volunteer or auxiliary civilian defense worker or member of an agency engaged in civilian defense activity during an incident, disaster, or emergency or the owners of facilities used for civil defense shelters, pursuant to a fallout shelter license or privilege agreement and while complying with or reasonably attempting to comply with parts 1 through 4 or 12 of this chapter or an order or rule promulgated under the provisions of parts 1 through 4 or 12 of this chapter or pursuant to an ordinance relating to blackout or other precautionary measures enacted by a political subdivision of the state, are not liable for the death of or injury to persons or for damage to property as a result of any activity specified in this subsection.</p>	Personnel immune from liability
Nebraska (NE)	Nev. Rev. Stat. Ann. § 81-829.55 (LexisNexis 2008)	(1) All functions provided for in the Emergency Management Act and all other activities relating to emergency management are hereby declared to be governmental functions. The United States, the state, any political subdivision thereof, any other agencies of the United States, the state, or a political subdivision thereof, and, except in cases of willful misconduct,	Immunity from liability for activities; covered by Nebraska Workers' Compensation Act; licenses, not required;

State	Citation(s)	Statute(s)	Note
		<p>gross negligence, or bad faith, any emergency management worker complying with or reasonably attempting to comply with the provisions of the act, any emergency management act of Congress, or any order, rule, or regulation promulgated pursuant to the act or any emergency management act of Congress or acting pursuant to any ordinance relating to black-out or other precautionary measures enacted by any political subdivision of the state shall not be liable for the death of or injury to persons or for damage to property as a result of any such activity. This section shall not affect the right of any person to receive benefits to which he or she would otherwise be entitled under the Emergency Management Act, under the Nebraska Workers' Compensation Act, or under any pension law or the right of any person to receive any benefits or compensation under any act of Congress.</p> <p>(2) Any requirement for a license to practice any professional, mechanical, or other skill shall not apply to any authorized emergency management worker who in the course of performing duties as such practices such professional, mechanical, or other skill during a civil defense emergency or declared state of emergency.</p> <p>(3) Any emergency management worker performing emergency management services at any place in this state pursuant to agreements, compacts, or arrangements for mutual aid and assistance to which the state or a political subdivision thereof is a party shall possess the same powers, duties, immunities, and privileges he or she would ordinarily possess if performing such duties in the state, province, or political subdivision thereof in which normally employed or rendering services.</p>	emergency management worker; powers, duties, immunities, privileges
	Nev. Rev. Stat. Ann. § 25-21,186 (LexisNexis 2008)	No person who renders emergency care at the scene of an accident or other emergency gratuitously, shall be held liable for any civil damages as a result of any act or omission by such person in rendering the emergency care or as a result of any act or failure to act to provide or arrange for medical treatment or care for the injured person.	Good Samaritan
Nevada (NV)	Nev. Rev. Stat. Ann. § 41.500 (LexisNexis 2008)	<p>1. Except as otherwise provided in NRS 41.505, any person in this state who renders emergency care or assistance in an emergency, gratuitously and in good faith, is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by him in rendering the emergency care or assistance or as a result of any act or failure to act, not amounting to gross negligence, to provide or arrange for further medical treatment for the injured person.</p> <p>2. Any person in this state who acts as a driver of an ambulance or attendant on an ambulance operated by a volunteer service or as a</p>	Good Samaritan

State	Citation(s)	Statute(s)	Note
		<p>volunteer driver or attendant on an ambulance operated by a political subdivision of this state, or owned by the Federal Government and operated by a contractor of the Federal Government, and who in good faith renders emergency care or assistance to any injured or ill person, whether at the scene of an emergency or while transporting an injured or ill person to or from any clinic, doctor's office or other medical facility, is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by him in rendering the emergency care or assistance, or as a result of any act or failure to act, not amounting to gross negligence, to provide or arrange for further medical treatment for the injured or ill person.</p> <p>3. Any appointed member of a volunteer service operating an ambulance or an appointed volunteer serving on an ambulance operated by a political subdivision of this state, other than a driver or attendant, of an ambulance, is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by him whenever he is performing his duties in good faith.</p> <p>4. Any person who is a member of a search and rescue organization in this state under the direct supervision of any county sheriff who in good faith renders care or assistance in an emergency to any injured or ill person, whether at the scene of an emergency or while transporting an injured or ill person to or from any clinic, doctor's office or other medical facility, is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by him in rendering the emergency care or assistance, or as a result of any act or failure to act, not amounting to gross negligence, to provide or arrange for further medical treatment for the injured or ill person.</p> <p>5. Any person who is employed by or serves as a volunteer for a public fire-fighting agency and who is authorized pursuant to chapter 450B of NRS to render emergency medical care at the scene of an emergency is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by that person in rendering that care or as a result of any act or failure to act, not amounting to gross negligence, to provide or arrange for further medical treatment for the injured or ill person.</p> <p>6. Any person who: (a) Has successfully completed a course in cardiopulmonary resuscitation according to the guidelines of the American National Red Cross or American Heart Association;</p>	

State	Citation(s)	Statute(s)	Note
		<p>(b) Has successfully completed the training requirements of a course in basic emergency care of a person in cardiac arrest conducted in accordance with the standards of the American Heart Association; or</p> <p>(c) Is directed by the instructions of a dispatcher for an ambulance, air ambulance or other agency that provides emergency medical services before its arrival at the scene of the emergency, and who in good faith renders cardiopulmonary resuscitation in accordance with his training or the direction, other than in the course of his regular employment or profession, is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by that person in rendering that care.</p> <p>7. For the purposes of subsection 6, a person who:</p> <p>(a) Is required to be certified in the administration of cardiopulmonary resuscitation pursuant to NRS 391.092; and</p> <p>(b) In good faith renders cardiopulmonary resuscitation on the property of a public school or in connection with a transportation of pupils to or from a public school or while on activities that are part of the program of a public school, shall be presumed to have acted other than in the course of his regular employment or profession.</p> <p>8. Any person who gratuitously and in good faith renders emergency medical care involving the use of an automated external defibrillator is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by that person in rendering that care.</p> <p>9. A business or organization that has placed an automated external defibrillator for use on its premises is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by the person rendering such care or for providing the automated external defibrillator to the person for the purpose of rendering such care if the business or organization:</p> <p>(a) Complies with all current federal and state regulations governing the use and placement of an automated external defibrillator;</p> <p>(b) Ensures that the automated external defibrillator is maintained and tested according to the operational guidelines established by the manufacturer; and</p> <p>(c) Establishes requirements for the notification of emergency medical assistance and guidelines for the maintenance of the equipment.</p>	

State	Citation(s)	Statute(s)	Note
		10. As used in this section, "gratuitously" means that the person receiving care or assistance is not required or expected to pay any compensation or other remuneration for receiving the care or assistance.	
	Nev. Rev. Stat. Ann. § 414.110 (LexisNexis 2008)	<p>1. All functions under this chapter and all other activities relating to emergency management are hereby declared to be governmental functions. Neither the state nor any political subdivision thereof nor other agencies of the state or political subdivision thereof, nor except in cases of willful misconduct, gross negligence, or bad faith, any worker complying with or reasonably attempting to comply with this chapter, or any order or regulation adopted pursuant to the provisions of this chapter, or pursuant to any ordinance relating to any necessary emergency procedures or other precautionary measures enacted by any political subdivision of the state, is liable for the death of or injury to persons, or for damage to property, as a result of any such activity. The provisions of this section do not affect the right of any person to receive benefits to which he would otherwise be entitled under this chapter, or under the provisions of chapters 616A to 616D, inclusive, or chapter 617 of NRS, or under any pension law, nor the right of any such person to receive any benefits or compensation pursuant to any act of Congress.</p> <p>2. Any requirement for a license to practice any professional, mechanical or other skill does not apply to any authorized worker who, in the course of performing his duties as such, practices that professional, mechanical or other skill during an emergency or disaster.</p> <p>3. As used in this section, "worker" includes, without limitation, any full-time or part-time paid, volunteer or auxiliary employee of this state, of any political subdivision thereof, of other states, territories, possessions or the District of Columbia, of the Federal Government, of any neighboring country, or of any political subdivision thereof, or of any agency or organization, performing services for emergency management at any place in this state subject to the order or control of, or pursuant to a request of, the state government or any political subdivision thereof.</p>	Emergency Management – Immunity and Exemption
New Hampshire (NH)	N.H. Rev. Stat. Ann. § 329:25 (LexisNexis 2008)	No person, authorized to practice medicine under this chapter or under the laws of any other state, who, in good faith, renders emergency care at the scene of an emergency without making any charge therefor, shall be liable for any civil damages as a result of acts or omissions by such person in rendering such emergency care, or as a result of any act or failure to act to provide or arrange for further medical treatment or care.	Good Samaritan
	N.H. Rev. Stat. Ann. § 21-P:41	I. All functions under this subdivision and all other activities relating to emergency management are hereby declared to be governmental	

State	Citation(s)	Statute(s)	Note
	(LexisNexis 2008)	<p>functions. Neither the state nor any of its political subdivisions nor any agency of the state or political subdivision, nor any private corporations, organizations, or agencies, nor any emergency management worker complying with or reasonably attempting to comply with this subdivision, or any order or rule adopted or regulation promulgated pursuant to the provisions of this subdivision, or pursuant to any ordinance relating to precautionary measures enacted by any political subdivision of the state, shall be liable for the death of or injury to persons, or for damage to property, as a result of any such activity. The provisions of this section shall not affect the right of any person to receive benefits to which he or she would otherwise be entitled under this subdivision, under the workers' compensation law, or under any retirement law, nor the right of any such person to receive any benefits or compensation under any act of Congress.</p> <p>II. Any requirement for a license to practice any professional, mechanical, or other skill shall not apply to any authorized emergency management worker who shall, in the course of performing his or her duties as such, practice such professional, mechanical, or other skill during an emergency.</p> <p>III. As used in this section the term "emergency management worker" includes any full or part-time paid, volunteer, or auxiliary employee of this state, other states, territories, possessions, the District of Columbia, the federal government, any neighboring country, or of any political subdivision of such entities, or of any corporation, agency or organization, public or private, performing emergency management services at any place in this state subject to the order or control of, or pursuant to a request of, the state government or any of its political subdivisions.</p> <p>IV. Dentists licensed in this state, nurses registered in this state, student nurses undergoing training at a licensed hospital in this state, or emergency medical care providers licensed under RSA 153-A, during any emergency, shall be regarded as authorized emergency management workers and while so engaged may practice, 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> <p>V. Any emergency management worker, performing emergency</p>	

State	Citation(s)	Statute(s)	Note
		<p>management services at any place in this state pursuant to agreements, compacts or arrangements for mutual aid and assistance, to which the state or one of its political subdivisions is a party, shall possess the same powers, duties, immunities, and privileges the worker would ordinarily possess if performing his or her duties in the state or political subdivision in which normally employed or rendering services.</p> <p>VI. Any emergency management worker shall:</p> <p>(a) If the worker is an employee of the state, have the powers, duties, rights, and privileges and receive the compensation incidental to his or her employment;</p> <p>(b) If the worker is an employee of a political subdivision of the state, whether serving within or without such political subdivision, have the powers, duties, rights, privileges, and immunities and receive the compensation incidental to his or her employment; and</p> <p>(c) If the worker is not an employee of the state or one of its political subdivisions, be entitled to the same rights as to compensation for injuries as are provided by law for the employees of this state. The emergency management personnel shall, while on duty, be subject to the operational control of the authority in charge of emergency management activities in the area in which they are serving, and shall be reimbursed for all actual travel and subsistence expenses incurred under orders issued by the director.</p>	
New Jersey (NJ)	N.J. Rev. Stat. § 2A:62A-1.3 (2008)	<p>a. If an individual's actual health care facility duty, including on-call duty, does not require a response to a patient emergency situation, a health care professional who, in good faith, responds to a life-threatening emergency or responds to a request for emergency assistance in a life-threatening emergency within a hospital or other health care facility, is not liable for civil damages as a result of an act or omission in the rendering of emergency care. The immunity granted pursuant to this section shall not apply to acts or omissions constituting gross negligence, recklessness or willful misconduct.</p> <p>b. The provisions of subsection a. of this section shall not apply to a health care professional if a provider-patient relationship existed before the emergency, or if consideration in any form is provided to the health care professional for the service rendered.</p> <p>c. The provisions of subsection a. of this section do not diminish a general hospital's responsibility to comply with all Department of Health and Senior Services licensure requirements concerning medical staff availability at the</p>	

State	Citation(s)	Statute(s)	Note
		<p>hospital.</p> <p>d. A health care professional shall not be liable for civil damages for injury or death caused in an emergency situation occurring in the health care professional's private practice or in a health care facility on account of a failure to inform a patient of the possible consequences of a medical procedure when the failure to inform is caused by any of the following:</p> <ul style="list-style-type: none"> (1) the patient was unconscious; (2) the medical procedure was undertaken without the consent of the patient because the health care professional reasonably believed that the medical procedure should be undertaken immediately and that there was insufficient time to fully inform the patient; or (3) the medical procedure was performed on a person legally incapable of giving informed consent, and the health care professional reasonably believed that the medical procedure should be undertaken immediately and that there was insufficient time to obtain the informed consent of the person authorized to give such consent for the patient. <p>The provisions of this subsection shall apply only to actions for damages for an injury or death arising as a result of a health care professional's failure to inform, and not to actions for damages arising as a result of a health care professional's negligence in rendering or failing to render treatment.</p> <p>e. As used in this section:</p> <ul style="list-style-type: none"> (1) "Health care professional" means a physician, dentist, nurse or other health care professional whose professional practice is regulated pursuant to Title 45 of the Revised Statutes and an emergency medical technician or mobile intensive care paramedic certified by the Commissioner of Health and Senior Services pursuant to Title 26 of the Revised Statutes; and (2) "Health care facility" means a health care facility licensed by the Department of Health and Senior Services pursuant to P.L. 1971, c. 136 (C. 26:2H-1 et seq.) and a psychiatric hospital operated by the Department of Human Services and listed in R.S.30:1-7. 	
	N.J. Rev. Stat. § 26:13-6 (2008)	<p>During a state of public health emergency, the commissioner may exercise, for such period as the state of public health emergency exists, the following emergency powers regarding health care personnel:</p> <ul style="list-style-type: none"> a. To require in-State health care providers to assist in the performance of vaccination, treatment, examination or testing of any individual; b. To appoint and prescribe the duties of such out-of-State emergency health care providers as may be reasonable and necessary to respond to the public health emergency, as provided in this subsection. 	

State	Citation(s)	Statute(s)	Note
		<p>(1) The appointment of out-of-State emergency health care providers may be for such period of time as the commissioner deems appropriate, but shall not exceed the duration of the public health emergency. The commissioner may terminate the out-of-State appointments at any time or for any reason if the termination will not jeopardize the health, safety and welfare of the people of this State.</p> <p>(2) The commissioner may waive any State licensing requirements, permits, fees, applicable orders, rules and regulations concerning professional practice in this State by health care providers from other jurisdictions; and</p> <p>c. To authorize the State Medical Examiner, during the public health emergency, to appoint and prescribe the duties of county medical examiners, regional medical examiners, designated forensic pathologists, their assistants, out-of-State medical examiners and others as may be required for the proper performance of the duties of the office.</p> <p>(1) The appointment of persons pursuant to this subsection may be for a limited or unlimited time, but shall not exceed the duration of the public health emergency. The State Medical Examiner may terminate the out-of-State appointments at any time or for any reason.</p> <p>(2) The State Medical Examiner may waive any licensing requirements, permits or fees otherwise required for the performance of these duties, so long as the appointed emergency assistant medical examiner is competent to properly perform the duties of the office. In addition, if from another jurisdiction, the appointee shall possess the licensing, permit or fee requirement for medical examiners or assistant medical examiners in that jurisdiction.</p> <p>d. (1) An in-State health care provider required to assist pursuant to subsection a. of this section and an out-of-State emergency health care provider appointed pursuant to subsection b. of this section shall not be liable for any civil damages as a result of the provider's acts or omissions in providing medical care or treatment related to the public health emergency in good faith and in accordance with the provisions of this act.</p> <p>(2) An in-State health care provider required to assist pursuant to subsection a. of this section and an out-of-State emergency health care provider appointed pursuant to subsection b. of this section shall not be liable for any civil damages as a result of the provider's acts or omissions in undertaking public health preparedness activities, which activities shall include but not be limited to pre-event planning, drills and other public health preparedness efforts, in good faith and in accordance with the provisions of this act.</p>	

State	Citation(s)	Statute(s)	Note
	N.J. Rev. Stat. § 2A:53A-7 (2008)	<p>No nonprofit corporation, society or association organized exclusively for religious, charitable or educational purposes or its trustees, directors, officers, employees, agents, servants or volunteers shall, except as is hereinafter set forth, be liable to respond in damages to any person who shall suffer damage from the negligence of any agent or servant of such corporation, society or association, where such person is a beneficiary, to whatever degree, of the works of such nonprofit corporation, society or association; provided, however, that such immunity from liability shall not extend to any person who shall suffer damage from the negligence of such corporation, society, or association or of its agents or servants where such person is one unconcerned in and unrelated to and outside of the benefactions of such corporation, society or association.</p> <p>Nothing in this subsection shall be deemed to grant immunity to any health care provider, in the practice of his profession, who is a compensated employee, agent or servant of any nonprofit corporation, society or association organized exclusively for religious, charitable or educational purposes.</p> <p>b. No nonprofit corporation, society or association organized exclusively for hospital purposes or its trustees, directors, officers or volunteers shall, except as is hereinafter set forth, be liable to respond in damages to any person who shall suffer damage from the negligence of any agent or servant of such corporation, society or association, where such person is a beneficiary, to whatever degree, of the works of such nonprofit corporation, society or association; provided, however, that such immunity from liability shall not extend to any person who shall suffer damage from the negligence of such corporation, society, or association or of its agents or servants where such person is one unconcerned in and unrelated to and outside of the benefactions of such corporation, society or association; but nothing herein contained shall be deemed to exempt the agent, employee or servant individually from their liability for any such negligence.</p> <p>c. Nothing in this section shall be deemed to grant immunity to: (1) any trustee, director, officer, employee, agent, servant or volunteer causing damage by a willful, wanton or grossly negligent act of commission or omission, including sexual assault and other crimes of a sexual nature; (2) any trustee, director, officer, employee, agent, servant or volunteer causing damage as the result of the negligent operation of a motor vehicle; or (3) an independent contractor of a nonprofit corporation, society or association organized exclusively for religious, charitable, educational or hospital</p>	Corporate immunity from liability for negligence

State	Citation(s)	Statute(s)	Note
		purposes.	
New Mexico (NM)	N.M. Stat. Ann. § 12-12A-1 <i>et seq.</i> (LexisNexis 2008)		Uniform Emergency Volunteer Practitioners Act
New York (NY)	N.Y. Pub. Health Law § 3000-a (Consol. 2008)	<p>1. Except as provided in subdivision six of section six thousand six hundred eleven, subdivision two of section six thousand five hundred twenty-seven, subdivision one of section six thousand nine hundred nine and sections six thousand five hundred forty-seven and six thousand seven hundred thirty-seven of the education law, any person who voluntarily and without expectation of monetary compensation renders first aid or emergency treatment at the scene of an accident or other emergency outside a hospital, doctor's office or any other place having proper and necessary medical equipment, to a person who is unconscious, ill, or injured, shall not be liable for damages for injuries alleged to have been sustained by such person or for damages for the death of such person alleged to have occurred by reason of an act or omission in the rendering of such emergency treatment unless it is established that such injuries were or such death was caused by gross negligence on the part of such person. Nothing in this section shall be deemed or construed to relieve a licensed physician, dentist, nurse, physical therapist or registered physician's assistant from liability for damages for injuries or death caused by an act or omission on the part of such person while rendering professional services in the normal and ordinary course of his or her practice.</p> <p>2. (i) A person who, or entity, partnership, corporation, firm or society that, purchases or makes available resuscitation equipment that facilitates first aid, [fig 1] an automated external defibrillator or an epinephrine auto-injector device [fig 2] as required by or pursuant to law or local law, or (ii) [fig 3] an emergency health care provider [fig 4] under a collaborative agreement [fig 5] pursuant to section three thousand-b of this article with respect to an automated external defibrillator, [fig 6] or (iii) the emergency health care provider with a collaborative agreement under section three thousand-c of this article with respect to use of an epinephrine auto-injector device, [fig 7] shall not be liable for damages arising either from the use of that equipment by a person who voluntarily and without expectation of monetary compensation renders first aid or emergency treatment at the scene of an accident or medical emergency, or from the use of defectively manufactured equipment; provided that this subdivision shall not limit the person's or entity's, partnership's, corporation's, firm's society's or the emergency health care provider's liability for his, her or its own negligence, gross</p>	Good Samaritan

State	Citation(s)	Statute(s)	Note
	N.Y. Educ. Law § 6547 (Consol. 2008)	<p>negligence or intentional misconduct.</p> <p>Notwithstanding any inconsistent provision of any general, special or local law, any physician assistant properly registered in this state who voluntarily and without the expectation of monetary compensation renders first aid or emergency treatment at the scene of an accident or other emergency, outside a hospital, doctor's office or any other place having proper and necessary medical equipment, to a person who is unconscious, ill or injured, shall not be liable for damages for injuries alleged to have been sustained by such person or for damages for the death of such person alleged to have occurred by reason of an act or omission in the rendering of such first aid or emergency treatment unless it is established that such injuries were or such death was caused by gross negligence on the part of such physician assistant. Nothing in this section shall be deemed or construed to relieve a licensed physician assistant from liability for damages for injuries or death caused by an act or omission on the part of a physician assistant while rendering professional services in the normal and ordinary course of his practice.</p>	Good Samaritan – Physician Assistants
	N.Y. Mil. Law §§ 3, 77 (Consol. 2008)	<p>Except as provided in section seventy-six of this act, no person, firm or corporation engaged in defense work to whom a dispensation granted pursuant to this article is in effect, shall be liable, under any penal or civil law, for operation or employment as authorized in such dispensation.</p> <p>As used in this act the following terms shall mean and include:</p> <ol style="list-style-type: none"> 1. "Agency." An office, department, division, bureau, board or commission of the state or of a political subdivision thereof, including volunteer agencies. 2. "Attack." Any attack, actual or imminent, or series of attacks by an enemy or a foreign nation upon the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of bombs, shellfire, or nuclear, radiological, chemical, bacteriological, or biological means or other weapons or processes. 3. "City director." The director of civil defense heading a city office. 4. "City office." A city office of civil defense or a consolidated city office of civil defense. 5. "Civil defense." All those activities and measures designed or undertaken (1) to minimize the effects upon the civilian population caused or which would be caused by an attack, (2) to deal with the immediate emergency conditions which would be created by any such attack, and (3) to effectuate emergency repairs to, or the emergency restoration of, vital utilities and 	

State	Citation(s)	Statute(s)	Note
		<p>facilities destroyed or damaged by any such attack. Such term shall include, but shall not be limited to, (A) measures to be taken in preparation for anticipated attack (including the establishment of appropriate organizations, operational plans, and the supporting agreements; the recruitment and training of personnel; the conduct of research; the procurement and stockpiling of materials necessary to the survival, recovery and rehabilitation of the state and of its inhabitants; the provision of suitable warning systems; the construction or preparation of shelters and control centers; provisions for the continuity of state and local governments; and, when appropriate, the non-military evacuation of civil population); (B) measures to be taken during attack (including the enforcement of passive defense regulations prescribed by duly established military or civil authorities; the movement of personnel to shelters; the control of traffic and panic; and the control and use of lighting and civil communications); and (C) measures to be taken following attack (including but not limited to activities for fire fighting; rescue, emergency medical, health and sanitation services; monitoring for radiation and other specific hazards of special weapons; decontamination procedures; unexploded bomb reconnaissance; essential debris clearance; emergency welfare measures; immediately essential emergency repair or restoration of damaged vital facilities; the implementation of the means and methods for the recovery and rehabilitation of the state; effective utilization of all persons and materials; care and shelter for those made homeless; distribution of stockpiled food, water, medical supplies, machinery and other equipment; the preservation of raw materials; the restoration of essential community services, industrial and manufacturing capacity, and commercial and financial activities in the state; and the resumption of educational programs).</p> <p>6. "Civil defense forces." Agencies, public officers, employees, and enrolled civil defense volunteers, all having duties and responsibilities under or pursuant to this act in connection with civil defense.</p> <p>7. "Commission." The state civil defense commission created by article three of this act.</p> <p>8. "Communication facility" or "communication device" shall not mean or include a newspaper.</p> <p>9. "Council." The New York state defense council created by article two of this act.</p> <p>10. "County director." The director of civil defense heading a county office.</p> <p>11. "County office." A county office of civil defense or a consolidated county office of civil defense.</p> <p>12. "Defense effort." The preparation of the United States and other nations</p>	

State	Citation(s)	Statute(s)	Note
		<p>cooperating with it for defense against attack and for the conduct of war.</p> <p>13. "Defense emergency." The period beginning with the effective date of this act and ending upon the termination of the national emergency as proclaimed by the president of the United States on December sixteenth, nineteen hundred fifty.</p> <p>14. "Drill." Any duly authorized activity of the state civil defense commission or a local office of civil defense, or subdivision, service or unit thereof, with or without the participation of the general public, held in training or preparation for enemy attack or for rehabilitation and recovery procedures following an attack. Drill is synonymous with authorized test, training, or training or practice exercise. Drill includes assistance by civil defense forces in combating natural or peacetime disasters upon the direction of a public officer authorized by law to call upon a civil defense director for assistance in protecting human life or property.</p> <p>15. "Facilities." Buildings, shelters, utilities, and land.</p> <p>16. "Fallout shelter." A building, structure or other real property, or an area or portion thereof, so constructed, altered or improved as to provide protection against harmful radiation resulting from radioactive fallout in accordance with the plan, regulations or orders of the commission pertaining thereto, including such plumbing, heating, electrical, ventilating, conditioning, filtrating and refrigerating equipment and other mechanical additions or installations, if any, as may be an integral part thereof.</p> <p>17. "Law." A general or special statute, law, city or village charter, local law, ordinance, resolution, rule, regulation, order or rule of common law.</p> <p>18. "Local director." A county director or a city director.</p> <p>19. "Local office." A county office or a city office.</p> <p>20. "Materials." Raw materials, food, water, supplies, medicines, machinery, equipment, component parts and technical information and processes necessary for civil defense.</p> <p>21. "Municipal agency." An agency of a political subdivision responsible for police, fire, sanitation, public works, street, sewer, water, health, emergency or other services involving duties and responsibilities in connection with civil defense.</p> <p>22. "Political subdivision." A county, town, city, village, school district or other district, district corporation or public benefit corporation.</p> <p>23. "Shelter." A building, structure or other real property, or an area or portion thereof, which is to be used for the protection of persons during or after an attack, including such services, utilities and equipment, if any, as may be an integral part thereof.</p> <p>24. "State director." The New York state director of civil defense.</p> <p>25. "Volunteer agencies." Agencies sponsored or authorized by the</p>	

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		commission or local offices of civil defense the personnel of which are in major part selected from among volunteer persons serving without compensation and may include wardens, shelter captains, warning services, auxiliary police, auxiliary firemen, bomb squads, radiological units and personnel, rescue squads, emergency medical units and other medical forces, nurses' aides, repair crews, monitoring and decontamination squads, demolition crews and all other similar forces and services having duties and responsibilities in connection with civil defense.	
North Carolina (NC)	N.C. Gen. Stat. § 90-21.14 (2008)	<p>(a) Any person, including a volunteer medical or health care provider at a facility of a local health department as defined in G.S. 130A-2 or at a nonprofit community health center or a volunteer member of a rescue squad, who receives no compensation for his services as an emergency medical care provider, who renders first aid or emergency health care treatment to a person who is unconscious, ill or injured,</p> <p>(1) When the reasonably apparent circumstances require prompt decisions and actions in medical or other health care, and</p> <p>(2) When the necessity of immediate health care treatment is so reasonably apparent that any delay in the rendering of the treatment would seriously worsen the physical condition or endanger the life of the person,</p> <p>shall not be liable for damages for injuries alleged to have been sustained by the person or for damages for the death of the person alleged to have occurred by reason of an act or omission in the rendering of the treatment unless it is established that the injuries were or the death was caused by gross negligence, wanton conduct or intentional wrongdoing on the part of the person rendering the treatment.</p> <p>. . .</p> <p>(b) Nothing in this section shall be deemed or construed to relieve any person from liability for damages for injury or death caused by an act or omission on the part of such person while rendering health care services in the normal and ordinary course of his business or profession. Services provided by a volunteer health care provider who receives no compensation for his services and who renders first aid or emergency treatment to members of athletic teams are deemed not to be in the normal and ordinary course of the volunteer health care provider's business or profession.</p> <p>(c) In the event of any conflict between the provisions of this section and those of G.S. 20-166(d), the provisions of G.S. 20-166(d) shall control and</p>	

State	Citation(s)	Statute(s)	Note
		continue in full force and effect.	
	N.C. Gen. Stat. § 166A-1 <i>et seq.</i> (2008)	<p>N.C. Gen. Stat. § 166A-14, 16</p> <p>(a) All functions hereunder and all other activities relating to emergency management are hereby declared to be governmental functions. Neither the State nor any political subdivision thereof, nor, except in cases of willful misconduct, gross negligence or bad faith, any emergency management worker complying with or reasonably attempting to comply with this Article or any order, rule or regulation promulgated pursuant to the provisions of this Article or pursuant to any ordinance relating to any emergency management measures enacted by any political subdivision of the State, shall be liable for the death of or injury to persons, or for damage to property as a result of any such activity.</p> <p>(b) The rights of any person to receive benefits to which the person would otherwise be entitled under this Article or under the Workers' Compensation Law or under any pension law, and the right of any such person to receive any benefits or compensation under any act of Congress shall not be affected by performance of emergency management functions.</p> <p>(c) Any requirement for a license to practice any professional, mechanical or other skill shall not apply to any authorized emergency management worker who shall, in the course of performing the worker's duties as such, practice such professional, mechanical or other skill during a state of disaster.</p> <p>(d) As used in this section, the term "emergency management worker" shall include any full or part-time paid, volunteer or auxiliary employee of this State or other states, territories, possessions or the District of Columbia, of the federal government or any neighboring country or of any political subdivision thereof or of any agency or organization performing emergency management services at any place in this State, subject to the order or control of or pursuant to a request of the State government or any political subdivision thereof. The term "emergency management worker" under this section shall also include any health care worker performing health care services as a member of a hospital-based or county-based State Medical Assistance Team designated by the North Carolina Office of Emergency Medical Services and any person performing emergency health care services under G.S. 90-12.2.</p> <p>(e) Any emergency management worker, as defined in this section, performing emergency management services at any place in this State</p>	

State	Citation(s)	Statute(s)	Note
		<p>pursuant to agreements, compacts or arrangements for mutual aid and assistance to which the State or a political subdivision thereof is a party, shall possess the same powers, duties, immunities and privileges the person would ordinarily possess if performing duties in the State, or political subdivision thereof in which normally employed or rendering services.</p> <p>Any person, firm or corporation owning or controlling real or personal property who, voluntarily or involuntarily, knowingly or unknowingly, with or without compensation, grants a license or privilege or otherwise permits or allows the designation or use of the whole or any part or parts of such real or personal property for the purpose of sheltering, protecting, safeguarding or aiding in any way persons shall, together with his successors in interest, if any, not be civilly liable for the death of or injury to any person or the loss of or damage to the property of any persons where such death, injury, loss or damage resulted from, through or because of the use of the said real or personal property for any of the above purposes.</p>	
North Dakota (ND)	N.D Cent. Code § 32-03.49 <i>et seq.</i> (2008)	Notwithstanding any other law, any member of a critical incident stress management team is immune from any civil liability for the member's activities in connection with critical incident stress debriefing services unless, based upon the member's level of training, the member's activities constitute gross negligence.	
	N.D Cent. Code § 37-17.1-16 (2008)	<p>1. All functions hereunder and all other activities relating to emergency management are hereby declared to be governmental functions. Neither the state nor any county or city or its departments and agencies, or any disaster or emergency worker complying with or reasonably attempting to comply with this chapter, or any executive order or disaster or emergency operational plan pursuant to the provisions of this chapter, or pursuant to any ordinance relating to any precautionary measures enacted by any county or city of the state, except in case of willful misconduct, gross negligence, or bad faith, is liable for the death of or injury to persons, or for damage to property, as a result of any such activity. This section does not affect the right of any person to receive benefits to which that person would otherwise be entitled under this chapter, or under workforce safety and insurance law, or under any pension law, nor the right of any such person to receive any benefits or compensation under any Act of Congress.</p> <p>2. Any requirement for a license to practice any professional, mechanical, or other skill does not apply to any authorized disaster or emergency worker who, in the course of performing their duties, practices such professional, mechanical, or other skill during a disaster or emergency.</p>	

State	Citation(s)	Statute(s)	Note
Ohio (OH)	Ohio Rev. Code Ann. § 2305.23 (LexisNexis 2008)	<p>No person shall be liable in civil damages for administering emergency care or treatment at the scene of an emergency outside of a hospital, doctor's office, or other place having proper medical equipment, for acts performed at the scene of such emergency, unless such acts constitute willful or wanton misconduct.</p> <p>Nothing in this section applies to the administering of such care or treatment where the same is rendered for remuneration, or with the expectation of remuneration, from the recipient of such care or treatment or someone on his behalf. The administering of such care or treatment by one as a part of his duties as a paid member of any organization of law enforcement officers or fire fighters does not cause such to be a rendering for remuneration or expectation of remuneration.</p>	Good Samaritan
	Ohio Rev. Code Ann. § 5502.30 (LexisNexis 2008)	<p>(A) The state, any political subdivision, any municipal agency, any emergency management volunteer, another state, or an emergency management agency thereof or of the federal government or of another country or province or subdivision thereof performing emergency management services in this state pursuant to an arrangement, agreement, or compact for mutual aid and assistance, or any agency, member, agent, or representative of any of them, or any individual, partnership, corporation, association, trustee, or receiver, or any of the agents thereof, in good faith carrying out, complying with, or attempting to comply with any state or federal law or any arrangement, agreement, or compact for mutual aid and assistance, or any order issued by federal or state military authorities relating to emergency management, is not liable for any injury to or death of persons or damage to property as the result thereof during training periods, test periods, practice periods, or other emergency management operations, or false alerts, as well as during any hazard, actual or imminent, and subsequent to the same except in cases of willful misconduct. As used in this division, "emergency management volunteer" means only an individual who is authorized to assist any agency performing emergency management during a hazard.</p> <p>(B) The state, any political subdivision, any individual, partnership, corporation, association, trustee, or receiver, or any agent, agency, representative, officer, or employee of any of them that owns, maintains, occupies, operates, or controls all or part of any building, structure, or premises shall not be liable for any injury or death sustained by any person or damage caused to any property while that person or property is in the building, structure, or premises for duty,</p>	Roads, Highways, Bridges – Department of Public Safety – Emergency Management

State	Citation(s)	Statute(s)	Note
		<p>training, or shelter purposes during a hazard, drill, test, or false warning, or is entering therein for such purposes or departing therefrom, or for any injury, death, or property damage as the result of any condition in or on the building, structure, or premises or of any act or omission with respect thereto, except a willful act intended to cause injury or damage.</p> <p>(c) This section does not affect the right of any person to receive benefits to which he may be entitled under Chapter 4123. of the Revised Code or any pension law, nor the rights of any person to receive any benefits or compensation under any act of congress or under any law of this state.</p>	
Oklahoma (OK)	Okla. Stat. tit. 63, § 683.13, 14 (2008)	<p>Okla. Stat. tit. 63, § 683.13</p> <p>A. All functions hereunder and all other activities relating to emergency management are hereby declared to be governmental functions. The provisions of this section shall not affect the right of any person to receive benefits to which the person would otherwise be entitled under this act, or under the workers' compensation law, or under any pension law, nor the right of any such person to receive any benefits or compensation under any Act of Congress. Any municipal fireman or policeman engaged in any emergency management activities, while complying with or attempting to comply with this act or any rule or regulation pursuant thereto, shall be considered as serving in his or her regular line of duty and shall be entitled to all benefits of any applicable pension fund.</p> <p>B. Any requirement for a license to practice any professional, mechanical, or other skill shall not apply to any authorized emergency management worker from any state rendering mutual aid and who holds a comparable license in that state, who shall practice such professional, mechanical, or other skill during an emergency declared under the provisions of this act, when such professional, mechanical or other skill is exercised in accordance with the provisions of this act.</p> <p>C. As used in this section, the term "emergency management worker" shall include any full or part-time paid, volunteer, or auxiliary employee of this state, or other states, territories, possession or the District of Columbia, of the federal government, or any neighboring country, or of any political subdivision thereof, or of any agency or organization, performing emergency management services under state supervision, and who has been properly trained in the performance of emergency management functions, at any place in this state subject to the order or control of, or pursuant to a request of, the state government or any political subdivision thereof.</p>	

State	Citation(s)	Statute(s)	Note
		<p>D. Any emergency management worker, as defined in this section, performing emergency management services at any place in this state pursuant to agreements, compacts, or arrangements for mutual aid and assistance, to which the state or a political subdivision thereof is a party, shall possess the same powers, duties, immunities, and privileges the person would ordinarily possess if performing the same duties in the state, province, or political subdivision thereof in which normally employed or rendering services.</p> <p>Okla. Stat. tit. 63, § 683.13 (2008)</p> <p>A. Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege or otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for the purpose of sheltering persons, or providing a mass immunization and prophylaxis site or Strategic National Stockpile storage site during an actual or impending emergency or exercise shall, together with any successors in interest, if any, not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises for loss of, or damage to, the property of such person; provided, that the injury or death was caused by or incidental to the actual use of such premises for such real, actual or impending emergency or exercise, and further provided that nothing herein contained shall grant immunity from gross, willful or wanton acts of negligence.</p> <p>B. Neither the State of Oklahoma nor any political subdivision thereof nor any officer or employee of the State of Oklahoma or of any political subdivision thereof nor volunteer whose services have been accepted and utilized by an officer or employee of the State of Oklahoma or of any political subdivision thereof for carrying out the functions of this act shall be civilly liable for any loss or injury resulting to any person's company, corporation or other legal entity as a result of any decision, determination, order or action of such employee in the performance of assigned duties and responsibilities under this act during a stated emergency unless such loss or injury was caused by the gross negligence, or willfully and unnecessarily or by the wanton act of such state officer or employee or volunteer. Nothing in this act shall be construed to waive the sovereignty or immunity of the State of Oklahoma, or any political subdivision thereof, from being sued.</p>	
Oregon (OR)	Or. Rev. Stat. § 30.800 <i>et seq.</i> (2008)	<p>(1) As used in this section, "emergency medical assistance" means:</p> <p>(a) Medical or dental care not provided in a place where emergency medical or dental care is regularly available, including but not limited to a</p>	

State	Citation(s)	Statute(s)	Note
		<p>hospital, industrial first-aid station or a physician's or dentist's office, given voluntarily and without the expectation of compensation to an injured person who is in need of immediate medical or dental care and under emergency circumstances that suggest that the giving of assistance is the only alternative to death or serious physical after effects; or</p> <p>(b) Medical care provided voluntarily in good faith and without expectation of compensation by a physician licensed by the Oregon Medical Board in the physician's professional capacity as a team physician at a public or private school or college athletic event or as a volunteer physician at other athletic events.</p> <p>(2) No person may maintain an action for damages for injury, death or loss that results from acts or omissions of a person while rendering emergency medical assistance unless it is alleged and proved by the complaining party that the person was grossly negligent in rendering the emergency medical assistance.</p> <p>(3) The giving of emergency medical assistance by a person does not, of itself, establish the relationship of physician and patient, dentist and patient or nurse and patient between the person giving the assistance and the person receiving the assistance insofar as the relationship carries with it any duty to provide or arrange for further medical care for the injured person after the giving of emergency medical assistance.</p> <p>(1) As used in this section:</p> <p>(a) "Automated external defibrillator" means an automated external defibrillator approved for sale by the federal Food and Drug Administration.</p> <p>(b) "Public setting" means a location that is:</p> <p>(A) Accessible to members of the general public, employees, visitors and guests, but that is not a private residence;</p> <p>(B) A public school facility as defined in ORS 327.365; or</p> <p>(c) A health club as defined in ORS 431.680.</p> <p>(2) A person may not bring a cause of action against another person for damages for injury, death or loss that result from acts or omissions involving the use, attempted use or nonuse of an automated external defibrillator when the other person:</p> <p>(a) Used or attempted to use an automated external defibrillator;</p> <p>(b) Was present when an automated external defibrillator was used or should have been used;</p> <p>(c) Provided training in the use of an automated external defibrillator;</p>	

State	Citation(s)	Statute(s)	Note
		<p>(d) Is a physician and provided services related to the placement or use of an automated external defibrillator; or</p> <p>(e) Possesses or controls one or more automated external defibrillators placed in a public setting and reasonably complied with the following requirements:</p> <p>(A) Maintained, inspected and serviced the automated external defibrillator, the battery for the automated external defibrillator and the electrodes for the automated external defibrillator in accordance with guidelines set forth by the manufacturer.</p> <p>(B) Ensured that a sufficient number of employees received training in the use of an automated external defibrillator so that at least one trained employee may be reasonably expected to be present at the public setting during regular business hours.</p> <p>(c) Stored the automated external defibrillator in a location from which the automated external defibrillator can be quickly retrieved during regular business hours.</p> <p>(D) Clearly indicated the presence and location of each automated external defibrillator.</p> <p>(E) Established a policy to call 9-1-1 to activate the emergency medical services system as soon as practicable after the potential need for the automated external defibrillator is recognized.</p> <p>(3) The immunity provided by this section does not apply if:</p> <p>(a) The person against whom the action is brought acted with gross negligence or with reckless, wanton or intentional misconduct;</p> <p>(b) The use, attempted use or nonuse of an automated external defibrillator occurred at a location where emergency medical care is regularly available; or</p> <p>(c) The person against whom the action is brought possesses or controls one or more automated external defibrillators in a public setting and the person's failure to reasonably comply with the requirements described in subsection (2)(e) of this section caused the alleged injury, death or loss.</p> <p>(4) Nothing in this section affects the liability of a manufacturer, designer, developer, distributor or supplier of an automated external defibrillator, or an accessory for an automated external defibrillator, under the provisions of ORS 30.900 to 30.920 or any other applicable state or federal law.</p>	
	Or. Rev. Stat. § 401.515 (2008)	(1) During the existence of an emergency, the state and any local government, any agent thereof or emergency service worker engaged in any emergency services activity, while complying with or attempting to comply with ORS 401.015 to 401.107, 401.257 to 401.325 and 401.355 to	

State	Citation(s)	Statute(s)	Note
		<p>401.584 or any rule adopted under those sections, is not, except in cases of willful misconduct, gross negligence or bad faith, liable for the death or injury of any person, or damage or loss of property, as a result of that activity.</p> <p>(2) There shall be no liability on the part of a person who owns or maintains any building or premises which has been designated by any emergency management agency or emergency service agency or any public body or officer of this state or the United States as a fallout shelter or a shelter from destructive operations or attacks by enemies of the United States for the death of or injury to any individual or damage to or loss of property while in or upon the building or premises as a result of the condition of the building or premises or as a result of any act or omission, except willful misconduct, gross negligence or bad faith of such person or the servants, agents or employees of the person when the dead or injured individual entered or went on or into the building or premises for the purpose of seeking refuge therein during or in anticipation of destructive operations or attacks by enemies of the United States or during tests ordered by lawful authority.</p> <p>(3) The provisions of ORS 401.015 to 401.107, 401.257 to 401.325 and 401.355 to 401.584 do not affect the right of any person to receive benefits or compensation to which the person would otherwise be entitled under ORS 401.015 to 401.107, 401.257 to 401.325 and 401.355 to 401.584, under ORS chapter 656, under any pension or retirement law or under any act of Congress.</p> <p>(4) Emergency service workers, in carrying out, complying with or attempting to comply with any order or rule issued under ORS 401.015 to 401.107, 401.257 to 401.325 and 401.355 to 401.584 or any local ordinance, or performing any of their authorized functions or duties or training for the performance of their authorized functions or duties, shall have the same degree of responsibility for their actions and enjoy the same immunities as officers and employees of the state and its local governments performing similar work.</p> <p>(5) This section does not excuse any governmental agency from liability for intentional confiscation or intentional destruction of private property.</p> <p>(6) A person who complies with a lawful order of the Governor under ORS 401.015 to 401.107, 401.257 to 401.325 and 401.355 to 401.584 incurs no liability for damages resulting from compliance.</p>	

State	Citation(s)	Statute(s)	Note
		(7)(a) An officer, employee or agent of the federal government or another state, or an agency or political subdivision of another state, who is accepted by the Office of Emergency Management to act as an emergency service worker is an agent of this state for the purposes of this section and ORS 30.260 to 30.300.(b) An officer, employee or agent of the federal government or another state, or an agency or political subdivision of another state, who is accepted by a local government emergency management agency to act as an emergency service worker is an agent of the local government emergency management agency for the purposes of this section and ORS 30.260 to 30.300.	
Pennsylvania	35 Pa. Cons. Stat. § 449.47 (2008)	<p>(a) GENERAL RULE.—A holder of a volunteer license who, in good faith, renders professional health care services under this act shall not be liable for civil damages arising as a result of any act or omission in the rendering of care unless the conduct of the volunteer licensee falls substantially below professional standards which are generally practiced and accepted in the community and unless it is shown that the volunteer licensee did an act or omitted the doing of an act which the person was under a recognized duty to a patient to do, knowing or having reason to know that the act or omission created a substantial risk of actual harm to the patient.</p> <p>(b) APPLICATION.—This section shall not apply unless the approved clinic posts in a conspicuous place on its premises an explanation of the exemptions from civil liability provided under subsection (a). The protections provided by this section shall not apply to institutional health care providers, such as hospitals or approved clinics, subject to vicarious liability for the conduct of a volunteer license holder. The liability of such institutional defendants shall be governed by the standard of care established by common law.</p>	Volunteer Health Services Act
	35 Pa. Cons. Stat. § 7704 (2008)	(a) GENERAL RULE. —Neither the Commonwealth nor any political subdivision thereof nor other agencies nor, except in cases of willful misconduct, the agents, employees or representatives of any of them engaged in any emergency services activities, nor, except in cases of willful misconduct or gross negligence, any individual or other person under contract with them to provide equipment or work on a cost basis to be used in disaster relief, nor, except in cases of willful misconduct or gross negligence, any person, firm, corporation or an agent or employee of any of them engaged in disaster services activities, while complying with or attempting to comply with this part or any rule or regulation promulgated pursuant to the provisions of this part, shall be liable for the death of or any injury to persons or loss or damage to property as a result of that activity.	Emergency Management Services – Immunity from Liability

State	Citation(s)	Statute(s)	Note
		<p>(b) REAL ESTATE OWNERS. —Any person, organization or authority owning or controlling real estate or other premises, who voluntarily and, grants a license or privilege or otherwise permits the designation or use of the whole or any part or parts of the real estate or premises for any emergency services purpose, shall, together with his successors in interest, if any, not be civilly liable for negligently causing the death of or injury to or loss or damage to the property of any person who is upon the real estate or other premises for that purpose.</p> <p>(c) OTHER BENEFITS UNAFFECTED. —This section does not affect the right of any person to receive benefits to which he would otherwise be entitled under this part or under the workmen's compensation laws or under any pension law, nor the right of any person to receive any benefits or compensation under any Federal law.</p>	
	42 Pa. Cons. Stat. § 8331 (2008)	<p>(a) GENERAL RULE.—Any physician or any other practitioner of the healing arts or any registered nurse, licensed by any state, who happens by chance upon the scene of an emergency or who arrives on the scene of an emergency by reason of serving on an emergency call panel or similar committee of a county medical society or who is called to the scene of an emergency by the police or other duly constituted officers of a government unit or who is present when an emergency occurs and who, in good faith, renders emergency care at the scene of the emergency, shall not be liable for any civil damages as a result of any acts or omissions by such physician or practitioner or registered nurse in rendering the emergency care, except 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.</p> <p>(b) DEFINITION.—As used in this section “good faith” shall include, but is not limited to, a reasonable opinion that the immediacy of the situation is such that the rendering of care should not be postponed until the patient is hospitalized.</p>	Medical Good Samaritan
	35 Pa. Cons. Stat. § 7019 (2008)	(a) ACCESS.-- Each telephone service supplier shall provide customer telephone numbers, names and service addresses to PSAPs when requested by them for use in responding to 911 calls and, when required, to providers of emergency notification services and emergency support services, solely for the purposes of delivering or assisting in the delivery of emergency notification services and emergency support services. Each wireless provider shall provide the telephone number and geographical location of the wireless device, as required pursuant to the FCC E-911	Immunity for providers of telecom services used during emergencies

State	Citation(s)	Statute(s)	Note
		<p>Order, to PSAPs when requested by them for use in responding to 911 calls. Although customer telephone numbers, names and service addresses shall be available to PSAPs, providers of emergency notification services and providers of emergency support services, and the telephone numbers and geographical locations of wireless devices shall be available to PSAPs, such information shall remain the property of the disclosing service supplier. The total cost of the 911 system or wireless E-911 system shall include expenses to reimburse telephone service suppliers for providing and maintaining 911 information; provided, however, that nothing in this section shall permit a telephone service supplier to be reimbursed directly from the fund for providing and maintaining 911 information. This information shall be used only in providing emergency response services to a 911 call or for purposes of delivering or assisting in the delivery of emergency notification services or emergency support services except as provided in subsection (c). A person who uses or discloses ANI/ALI data base information for purposes other than providing emergency response services to a 911 call, delivering or assisting in the delivery of emergency notification services or emergency support services, or other than as provided in subsection (c) commits a misdemeanor of the third degree.</p> <p>(b) PRIVACY WAIVED.-- Private listing service customers in a 911 service district shall waive the privacy afforded by nonlisted and nonpublished numbers with respect to the delivery of emergency services.</p> <p>(c) IMMUNITY.-- No telephone company, wireless provider or vendor or agent, employee or director of a telephone company, wireless provider or vendor that provides information to PSAPs, providers of emergency notification services or providers of emergency support services shall be liable to any person who directly or indirectly uses the 911 emergency service or wireless E-911 emergency service established under this act or provides information to 911 systems or wireless E-911 systems with respect to the delivery of emergency services:</p> <p>(1) for release to PSAPs, providers of emergency notification services or providers of emergency support services of information specified in this section, including nonpublished telephone numbers;</p> <p>(2) for release to the commission, the Federal Communications Commission or any other Federal or Commonwealth agency with the authority to regulate the provision of telecommunications services, of telephone company information specified in this section that is not already part of public records, including, where applicable information regarding numbers of lines served by an individual company but</p>	

State	Citation(s)	Statute(s)	Note
		excluding nonpublic information regarding the company's individual customer names, addresses and telephone numbers; or (3) for interruptions, omissions, defects, errors, mistakes or delays in transmission occurring in the course of the delivery of emergency services or wireless E-911 service under this act, unless such interruptions, omissions, defects, errors, mistakes or delays are caused by the willful or wanton misconduct of the telephone company, wireless provider or vendor, their agents, employees or directors; provided, however, that nothing herein shall preclude the application of any commission tariff or regulation within its jurisdiction pertaining to allowances for telephone service interruptions.	
	35 Pa. Cons. Stat. § 7019 (2008)		
Rhode Island (RI)	R.I. Gen. Laws § 30-15-15, 16 (2008)	<p>R.I. Gen. Laws § 30-15-15</p> <p>(a) All functions under this chapter and all other activities relating to disaster response are hereby declared to be governmental functions. Neither the state nor any political subdivision thereof nor other agencies of the state or political subdivision thereof, nor, except in cases in willful misconduct, gross negligence, or bad faith, any disaster response worker complying with or reasonably attempting to comply with this chapter, or any order, rule, or regulation promulgated pursuant to the provisions of this chapter, or pursuant to any ordinance relating to precautionary measures enacted by any political subdivision of the state, shall be liable for the death of or injury to persons, or for damage to property, as a result of disaster response activity. The provisions of this section shall not affect the right of any person to receive benefits to which he or she would otherwise be entitled under this chapter, or under the Worker's Compensation Act, chapters 29 -- 38 of title 28, or under any pension law, nor the right of any person to receive any benefits or compensation under any act of congress.</p> <p>(b) Any requirement for a licensee to practice any professional, mechanical, or other skill shall not apply to any authorized disaster response worker who shall, in the course of performing his or her duties as, practice any professional, mechanical, or other skill during a disaster emergency.</p> <p>(c) In the absence of any other benefits as provided by law, all disaster response workers who shall be killed or sustain disability or injury while in training for or on disaster response duty shall be construed to be employees of the state, any other provisions of the law to the contrary notwithstanding, and shall be compensated in like manner as state employees are compensated under the provisions of chapters 29 -- 38 of</p>	Emergency Management – Immunity from Liability; No Private Liability (property)

State	Citation(s)	Statute(s)	Note
		<p>title 28.</p> <p>(d) As used in this section, the term "disaster response worker" shall include any full or part time paid, volunteer, or auxiliary employee of this state, other states, territories, or possessions, the District of Columbia, the federal government, any neighboring country, or any political subdivision thereof, or any agency or organization or any private person, firm or corporation performing disaster response services at any place in this state subject to the order or control of, or pursuant to a request of, the state government or any political subdivision thereof.</p> <p>R.I. Gen. Laws § 30-15-16 Any person controlling real estate or other premises who voluntarily and without compensation grants a license or privilege, or otherwise permits the designation or use of the whole or any part or parts of that real estate or premises for the purpose of sheltering persons during an actual, impending, mock, or practice disaster shall, together with his or her successors in interest, if any, not be civilly liable for negligently causing the death of, or injury to, any person on or about the real estate or premises or for the loss of, or damage to, the property of that person.</p>	
	R.I. Gen. Laws § 5-1-16 (2008)	<p>(a) An architect or architectural firm, duly licensed to practice in Rhode Island under this chapter, who voluntarily and without compensation provides architectural services at the scene of a disaster emergency is not liable for any personal injury, wrongful death, property damage, or other loss or damages caused by an act or omission of the architect or architectural firm in performing the services.</p> <p>(b) As used in this section, "disaster emergency" means a disaster emergency declared by executive order or proclamation of the governor pursuant to chapter 15 of title 30.</p> <p>(c) The immunity provided in subsection (a) of this section applies only to the practice of architecture as defined in this chapter regarding an architectural service that:</p> <ol style="list-style-type: none"> (1) Concerns any building, structure, or system, whether publicly or privately owned that is identified pursuant to a disaster emergency executive order or proclamation; (2) Relates to the structural integrity of the entire building, structure, or system or any portion of the structure or system, or to a nonstructural element of the structure or system, affecting public safety; and (3) Is rendered during the time in which a state of disaster emergency 	Architects rendering assistance during disaster emergency

State	Citation(s)	Statute(s)	Note
		exists, as provided in chapter 15 of title 30. (d) The immunity granted by this section shall not apply to acts or omissions constituting gross negligence or willful misconduct.	
South Carolina (SC)	S.C. Code Ann. § 38-79-30 (2008)	No licensed health care provider , as defined in Section 38-79-410, who renders medical services voluntarily and without compensation or the expectation or promise of compensation is liable for any civil damage for any act or omission resulting from the rendering of the services unless the act or omission was the result of the licensed health care provider's gross negligence or wilful misconduct. The agreement to provide a voluntary noncompensated service must be made before the rendering of the service by the licensed health care provider.	Good Samaritan – Volunteer health care provider not liable for civil damages; exception
	S.C. Code Ann. § 44-4-570 (2008)	(A) DHEC, in coordination with the appropriate licensing authority and the Department of Labor, Licensing and Regulation, may exercise, for such period as the state of public health emergency exists, in addition to existing emergency powers, the following emergency powers regarding licensing of health personnel: (1) to require in-state health care providers to assist in the performance of vaccination, treatment, examination, or testing of any individual as a condition of licensure, authorization, or the ability to continue to function as a health care provider in this State; (2) to accept the volunteer services of in-state and out-of-state health care providers consistent with Title 8, Chapter 25, to appoint such in-state and out-of-state health care providers as emergency support function volunteers, and to prescribe the duties as may be reasonable and necessary for emergency response ; and (3) to authorize the medical examiner or coroner to appoint and prescribe the duties of such emergency assistant medical examiners or coroners as may be required for the proper performance of the duties of the office. (B)(1) The appointment of in-state and out-of-state health care providers pursuant to this section may be for a limited or unlimited time but must not exceed the termination of the state of public health emergency. DHEC may terminate the in-state and out-of-state appointments at any time or for any reason provided that any termination will not jeopardize the health, safety, and welfare of the people of this State. (2) The appropriate licensing authority may waive any or all licensing requirements, permits, or fees required by law and applicable orders, rules, or regulations for health care providers from other jurisdictions to practice in this State.	

State	Citation(s)	Statute(s)	Note
		<p>(C)(1) Any health care provider appointed by the department pursuant to this section must not be held liable for any civil damages as a result of medical care or treatment including, but not limited to, trauma care and triage assessment, related to the appointment of the health care provider and the prescribed duties unless the damages result from providing, or failing to provide, medical care or treatment under circumstances demonstrating a reckless disregard for the consequences so as to affect the life or health of the patient.</p> <p>(2) This subsection applies if the health care provider does not receive payment from the State other than as allowed in Section 8-25-40 for the appointed services and prescribed duties. However, if the health care provider is an employee of the State, the health care provider may continue to receive compensation from the health care provider's employer. This subsection applies whether the health care provider was paid, should have been paid, or expected to be paid for the services at the time of rendering the services from sources including, but not limited to, Medicaid, Medicare, reimbursement under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 512, et seq., or private health insurance.</p> <p>(D)(1) The appointment of emergency assistant medical examiners or coroners pursuant to this section may be for a limited or unlimited time, but must not exceed the termination of the state of public health emergency. The medical examiner or coroner may terminate the emergency appointments at any time or for any reason, if the termination will not impede the performance of the duties of the office.</p> <p>(2) The medical examiner or coroner may waive any or all licensing requirements, permits, or fees required by law and applicable orders, rules, or regulations for the performance of these duties.</p> <p>(3) Any emergency assistant medical examiner or coroner appointed pursuant to this section is immune from civil liability for damages resulting from services relating to and performed during the period of appointment unless the damages result from providing, or failing to provide, services under circumstances demonstrating a reckless disregard for the consequences."</p>	
South Dakota (SD)	S.D. Codified Laws § 33-15-38 (2008)	All functions under this chapter and all other activities relating to emergency management are governmental functions. Neither the state nor any political subdivision thereof, nor other agencies, nor, except in cases of willful misconduct, gross negligence, or bad faith, any emergency management worker complying with or reasonably attempting to comply with this chapter, or any order, rule promulgated pursuant to the provisions of this chapter, or pursuant to any ordinance relating to blackout or other precautionary	Emergency Management – Liability Exemption

State	Citation(s)	Statute(s)	Note
		measures enacted by any political subdivision of this state, is liable for the death of or injury to persons, or damage to property, as a result of such activity. The provisions of this section do not affect the right of any person to receive benefits to which he would otherwise be entitled under this chapter, or under the worker's compensation law, or under any pension law, nor the right of any such person to receive any benefits or compensation under any act of Congress.	
	S.D. Codified Laws § 33-15-41 (2008)	Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege, or otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual, impending, mock or practice attack or other disaster or emergency as defined within this chapter shall, together with his successors in interest, if any, not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises for loss of, or damage to, the property of such person.	Immunity from liability of persons permitting use of property a shelter during emergency situations
	S.D. Codified Laws § 20-9-4.9 (2008)	The provisions of this chapter do not apply to an over-the-counter AED purchased without a written prescription. However, any person, who in good faith obtains an over-the-counter AED for use in providing emergency care or treatment or utilizes an over-the-counter AED, is immune from civil liability for any injury as a result of such emergency care or treatment or as a result of an act or failure to act in providing or arranging such emergency care or treatment. The immunity from civil liability pursuant to this section does not apply if the personal injury results from the gross negligence or willful or wanton misconduct of the person rendering such emergency care.	Immunity from liability for use of over-the-counter AED in providing emergency care
Tennessee (TN)	Tenn. Code Ann. § 58-2-801 <i>et seq.</i> (2008)	<p>58-2-809. Limitations on rights, privileges or immunities provided to volunteer health practitioners -- Incorporation of volunteers into emergency forces.</p> <p>(a) This part does not limit rights, privileges, or immunities provided to volunteer health practitioners by laws other than this part. Except as otherwise provided in subsection (b), this part does not affect requirements for the use of health practitioners pursuant to the emergency management assistance compacts.</p> <p>(b) TEMA, pursuant to the emergency management assistance compacts, may incorporate into the emergency forces of this state volunteer health practitioners who are not officers or employees of this state, a political subdivision of this state, or a municipality or other local government within this state.</p>	Uniform Emergency Volunteer Health Practitioner Act (2007)

State	Citation(s)	Statute(s)	Note
	Tenn. Code Ann. § 62-2-109 ; 63-12-142 (2008)	<p>Tenn. Code Ann. § 62-2-109</p> <p>(a) An architect or engineer who voluntarily, without compensation or expectation of compensation, provides structural or building systems inspection services at the scene of a declared national, state, or local natural or man-made emergency at the request of a public safety officer or city or county building inspector acting in an official capacity shall not be liable in negligence for any personal injury or property damage caused by the architect's or engineer's good faith, but negligent, inspection of a structure used for human habitation or a structure owned by a public entity, for structural integrity or nonstructural elements affecting life and safety. The immunity provided by this section shall apply only for an inspection that occurs within ninety (90) days of the declared national, state, or local natural or man-made emergency.</p> <p>(b) Nothing in this section shall be construed to provide immunity for gross negligence or willful misconduct.</p> <p>(c) As used in this section, "public safety officer" means:</p> <ol style="list-style-type: none"> (1) The chief law enforcement officer in a county or city; (2) A law enforcement officer acting at the specific direction of the chief law enforcement officer; or (3) The director or such director's assistants of the emergency management agency designated in accordance with § 58-2-104. <p>(d) Nothing in this section shall be construed as extending immunity to a city or county for whom inspection services, as described herein, are provided.</p> <p>Tenn. Code Ann. § 63-12-142</p> <p>Any licensed veterinarian, or ancillary veterinary personnel employed by and working under the direct supervision of a licensed veterinarian, who, in good faith, at such person's own initiative, renders emergency treatment to an ill or injured animal gratuitously and without making charge for such treatment, is not liable to the owner of the animal for any civil damages arising from the treatment provided to the animal except in cases of gross negligence. If the licensed veterinarian, or ancillary veterinary personnel acting under the direct supervision of a licensed veterinarian, performs euthanasia on an animal it is presumed that it was a humane act necessary to relieve pain and suffering.</p>	<p>Voluntary inspection services by architects or engineers at scene of a natural or man-made emergency --</p> <p>Limitation of liability --</p> <p>Applicability and scope of limitation</p> <p>Immunity for certain emergency treatment (veterinarians)</p>
Texas (TX)	Tex. Civ. Prac. & Rem. Code Ann.	(a) A person who in good faith administers emergency care is not liable in civil damages for an act performed during the emergency unless the act is	Good Samaritan

State	Citation(s)	Statute(s)	Note
	§ 74.151 (Vernon 2008)	<p>wilfully or wantonly negligent, including a person who:</p> <p>(1) administers emergency care using an automated external defibrillator; or</p> <p>(2) administers emergency care as a volunteer who is a first responder as the term is defined under Section 421.095, Government Code.</p> <p>(b) This section does not apply to care administered:</p> <p>(1) for or in expectation of remuneration, provided that being legally entitled to receive remuneration for the emergency care rendered shall not determine whether or not the care was administered for or in anticipation of remuneration; or</p> <p>(2) by a person who was at the scene of the emergency because he or a person he represents as an agent was soliciting business or seeking to perform a service for remuneration.</p> <p>(c), (d) [Deleted by Acts 2003, 78th Leg., ch. 204 (H.B. 4), § 10.01, effective September 1, 2003.]</p> <p>(e) This section does not apply to a person whose negligent act or omission was a producing cause of the emergency for which care is being administered.</p>	
	Tex. Civ. Prac. & Rem. Code Ann. § 150.003 (Vernon 2008)	<p>(a) This section applies only to a licensed or registered professional who provides architectural or engineering services if the services:</p> <p>(1) are authorized, as appropriate for the professional, in:</p> <p>(A) Chapter 1001, Occupations Code;</p> <p>(B) Chapter 1051, Occupations Code;</p> <p>(C) 22 T.A.C. Part 6 (Texas Board of Professional Engineers), Chapter 137 (Compliance and Professionalism); and</p> <p>(D) 22 T.A.C. Part 1 (Texas Board of Architectural Examiners), Chapter 1 (Architects), Subchapter H (Professional Conduct);</p> <p>(2) subject to Subsection (d), are provided voluntarily and without compensation or the expectation of compensation;</p> <p>(3) are in response to and provided during the duration of a proclaimed state of emergency under Section 433.001, Government Code, or a declared state of disaster under Section 418.014, Government Code;</p> <p>(4) are provided at the request or with the approval of a federal, state, or local public official acting in an official capacity in response to the proclaimed state of emergency or declared disaster, including a law enforcement official, public safety official, or building inspection official; and</p> <p>(5) are related to a structure, building, roadway, piping, or other system, either publicly or privately owned.</p>	Architects and engineers

State	Citation(s)	Statute(s)	Note
		<p>(b) A licensed or registered professional who provides the services to which this section applies is not liable for civil damages, including personal injury, wrongful death, property damage, or other loss related to the professional's act, error, or omission in the performance of the services, unless the act, error, or omission constitutes:</p> <p>(1) gross negligence; or</p> <p>(2) wanton, wilful, or intentional misconduct.</p> <p>(c) This section does not apply to a licensed or registered professional who is at the scene of the emergency to solicit business or perform a service for compensation on behalf of the professional or a person for whom the professional is an agent.</p> <p>(d) The entitlement of a licensed or registered professional to receive compensation for services to which this section applies does not determine whether the services provided by the professional were provided voluntarily and without compensation or the expectation of compensation.</p>	
	Tex. Health & Safety Code Ann. §§ 311.022(a), (d), (e), and 311.023 (Vernon 2008)	<p>Tex. Health & Safety Code Ann. §§ 311.022(d)(e)</p> <p>(a) An officer, employee, or medical staff member of a general hospital may not deny emergency services because a person cannot establish the person's ability to pay for the services or because of the person's race, religion, or national ancestry if:</p> <p>(1) the services are available at the hospital; and</p> <p>(2) the person is diagnosed by a licensed physician as requiring those services.</p> <p>(b) An officer or employee of a general hospital may not deny a person in need of emergency services access to diagnosis by a licensed physician on the hospital staff because the person cannot establish the person's ability to pay for the services or because of the person's race, religion, or national ancestry.</p> <p>(c) In addition, the person needing emergency services may not be subjected to arbitrary, capricious, or unreasonable discrimination based on age, sex, physical condition, or economic status.</p> <p>(d) An officer, employee, or medical staff member of a general hospital commits an offense if that person recklessly violates this section. An offense under this subsection is a Class B misdemeanor, except that if the offense results in permanent injury, permanent disability, or death, the</p>	Vicarious liability for hospitals (their employees, officers or staff members only)

State	Citation(s)	Statute(s)	Note
		<p>offense is a Class A misdemeanor.</p> <p>(e) An officer, employee, or medical staff member of a general hospital commits an offense if that person intentionally or knowingly violates this section. An offense under this subsection is a Class A misdemeanor, except that if, as a direct result of the offense, a person denied emergency services dies, the offense is a felony of the third degree.</p> <p>Tex. Health & Safety Code Ann. §§ 311.023 An employee of a general hospital that does not have physician services available at the time of an emergency is not in violation of Section 311.022 if, after a reasonable good faith effort, a physician fails to provide or delegate the provision of medical services as required by state statutes.</p>	
Utah (UT)	Utah Code Ann. § 26-49-101 <i>et seq.</i> (2008)	Utah Code Ann. § 26-49-504. Volunteer health practitioners who provide health or veterinary services pursuant to this chapter are immune from liability and civil damages as set forth in Section 58-13-2.	Uniform Emergency Volunteer Health Practitioner Act
	Utah Code Ann. § 58-13-2 (2008)	<p>(1) A person licensed under Title 58, Occupations and Professions, to practice as any of the following health care professionals, who is under no legal duty to respond, and who in good faith renders emergency care at the scene of an emergency gratuitously and in good faith, is not liable for any civil damages as a result of any acts or omissions by the person in rendering the emergency care:</p> <ul style="list-style-type: none"> (a) osteopathic physician; (b) physician and surgeon; (c) naturopathic physician; (d) dentist or dental hygienist; (e) chiropractic physician; (f) physician assistant; (g) optometrist; (h) nurse licensed under Section 58-31b-301 or 58-31c-102; (i) podiatrist; (j) certified nurse midwife; (k) respiratory care practitioner; (l) pharmacist, pharmacy technician, and pharmacy intern; (m) Direct-entry midwife licensed under Section 58-77-301; or (n) veterinarian. <p>(2) This Subsection (2) applies to a health care professional:</p> <ul style="list-style-type: none"> (a) (i) described in Subsection (1); and (ii) who is under no legal duty to respond to the circumstances 	Health Care Providers Immunity from Liability Act

State	Citation(s)	Statute(s)	Note
		<p>described in Subsection (3);</p> <p>(b) who is:</p> <p>(i) activated as a member of a medical reserve corps as described in Section 26A-1-126 during the time of an emergency as provided in Section 26A-1-126;</p> <p>(ii) acting within the scope of:</p> <p>(A) the health care professional's license; or</p> <p>(B) practice as modified under Subsection 58-1-307(4) or Section 26A-1-126; and</p> <p>(iii) acting in good faith without compensation or remuneration as defined in Subsection 58-13-3(2); or</p> <p>(c) who is acting as a volunteer health practitioner under Title 26, Chapter 49, Uniform Emergency Volunteer Health Practitioners Act.</p> <p>(3) A health care professional described in Subsection (2) is not liable for any civil damages as a result of any acts or omissions by the health care professional in rendering care as a result of:</p> <p>(a) implementation of measures to control the causes of epidemic and communicable diseases and other conditions significantly affecting the public health or necessary to protect the public health as set out in Title 26A, Chapter 1, Local Health Departments;</p> <p>(b) investigating and controlling suspected bioterrorism and disease as set out in Title 26, Chapter 23b, Detection of Public Health Emergencies Act; and</p> <p>(c) responding to a national, state, or local emergency, a public health emergency as defined in Section 26-23b-102, or a declaration by the President of the United States or other federal official requesting public health-related activities.</p> <p>(4) The immunity in Subsection (3) is in addition to any immunity or protection in state or federal law that may apply.</p> <p>(5) For purposes of Subsection (2)(b)(iii) remuneration does not include:</p> <p>(a) food supplied to the volunteer;</p> <p>(b) clothing supplied to the volunteer to help identify the volunteer during the time of the emergency; or</p> <p>(c) other similar support for the volunteer.</p>	
Vermont (VT)	Vt. Stat. Ann. tit. 20, § 20 (2008)	(a) Except in the case of willful misconduct or gross negligence, the state, any of its agencies, state employees as defined in section 1101 of Title 3, political subdivisions, local emergency planning committees, or individual, partnership, association, or corporation involved in emergency	Civil Defense and Military Aid – Immunities and Defenses

State	Citation(s)	Statute(s)	Note
		management activities shall not be liable for the death of or any injury to persons or loss or damage to property resulting from an emergency management service or response activity, including the development of local emergency plans and the response to those plans. Nothing in this section shall exclude the state, its agencies, political subdivisions, or employees from the protections and rights provided in chapter 189 of Title 12.	
		(b) Any individual, partnership, association, corporation or facility that provides personnel, training or equipment through an agreement with the local emergency planning committee, the state emergency response commission or local emergency response officials is immune from civil liability to the same extent provided in subsection (a) of this section for any act performed within the scope of the agreement.	
	Vt. Stat. Ann. tit. 20, § 33(d) (2008)	(d) The department of public safety may employ as many state HAZMAT team responders as the commissioner deems necessary as temporary state employees, who shall be compensated as such when authorized to respond to a HAZMAT incident or to attend HAZMAT training. State HAZMAT team responders, whenever acting as state agents in accordance with this section, shall be afforded all of the protections and immunities of state employees.	Hazmat Teams
Virginia (VA)	Va. Code Ann. § 44-146.23 (2008)	<p>A. Neither the Commonwealth, nor any political subdivision thereof, nor federal agencies, nor other public or private agencies, nor, except in cases of willful misconduct, public or private employees, nor representatives of any of them, engaged in any emergency services activities, while complying with or attempting to comply with this chapter or any rule, regulation, or executive order promulgated pursuant to the provisions of this chapter, shall be liable for the death of, or any injury to, persons or damage to property as a result of such activities. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this chapter, or under the Workers' Compensation Act (§ 65.2-100 et seq.), or under any pension law, nor the right of any such person to receive any benefits or compensation under any act of Congress. For the purposes of the immunity conferred by this subsection, representatives of public or private employees shall include, but shall not be limited to, volunteers in state and local services who are persons who serve in a Medical Reserve Corps (MRC) unit or on a Community Emergency Response Team (CERT).</p> <p>B. Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege, or</p>	Some immunity protections under emergency statutes if volunteers in "state and local services"

State	Citation(s)	Statute(s)	Note
		<p>otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for the purpose of sheltering persons, of emergency access or of other uses relating to emergency services shall, <i>together with his successors in interest</i>, if any, not be liable for negligently causing the death of, or injury to any person on or about such real estate or premises or for loss of or damage to the property of any person on or about such real estate or premises during such actual or impending disaster.</p> <p>C. If any person holds a license, certificate, or other permit issued by any state, or political subdivision thereof, evidencing the meeting of qualifications for professional, mechanical, or other skills, the person, without compensation other than reimbursement for actual and necessary expenses, may render aid involving that skill in the Commonwealth during a disaster, and such person shall not be liable for negligently causing the death of, or injury to, any person or for the loss of, or damage to, the property of any person resulting from such service.</p> <p>D. No person, firm or corporation which gratuitously services or repairs any electronic devices or equipment under the provisions of this section after having been approved for the purposes by the State Coordinator shall be liable for negligently causing the death of, or injury to, any person or for the loss of, or damage to, the property of any person resulting from any defect or imperfection in any such device or equipment so gratuitously serviced or repaired.</p> <p>E. Notwithstanding any law to the contrary, no individual, partnership, corporation, association, or other legal entity shall be liable in civil damages as a result of acts taken voluntarily and without compensation in the course of rendering care, assistance, or advice with respect to an incident creating a danger to person, property, or the environment as a result of an actual or threatened discharge of a hazardous substance, or in preventing, cleaning up, treating, or disposing of or attempting to prevent, clean up, treat, or dispose of any such discharge, provided that such acts are taken under the direction of state or local authorities responding to the incident. This section shall not preclude liability for civil damages as a result of gross negligence, recklessness or willful misconduct. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this chapter, or under the Workers' Compensation Act (§ 65.2-100 et seq.), or under any pension law, nor the</p>	<p>Immunity protection for property owners and "successors in interest"</p> <p>Immunity for any duly credentialed skills worker offering uncompensated assistance during emergencies, regardless of "home"</p> <p>Entity protections for gratuitous services to electronics or equipment</p> <p>Immunity for gratuitous assistance rendered by</p>

State	Citation(s)	Statute(s)	Note
		right of any such person to receive any benefits or compensation under any act of Congress. The immunity provided by the provisions of this paragraph shall be in addition to, not in lieu of, any immunities provided by § 8.01-225.	individuals or legally recognized entities with regard to providing care as a result of a hazardous materials incident
	Va. Code Ann. § 8.01-225 <i>et seq.</i> (2008)	<p>Va. Code Ann. § 8.01-225</p> <p>A. Any person who:</p> <p>1. In good faith, renders emergency care or assistance, without compensation, to any ill or injured person (i) at the scene of an accident, fire, or any life-threatening emergency; (ii) at a location for screening or stabilization of an emergency medical condition arising from an accident, fire, or any life-threatening emergency; or (iii) en route to any hospital, medical clinic or doctor's office, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such care or assistance.</p> <p>2. In the absence of gross negligence, renders emergency obstetrical care or assistance to a female in active labor who has not previously been cared for in connection with the pregnancy by such person or by another professionally associated with such person and whose medical records are not reasonably available to such person shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care or assistance. The immunity herein granted shall apply only to the emergency medical care provided.</p> <p>3. In good faith and without compensation, including any emergency medical services technician certified by the Board of Health, administers epinephrine in an emergency to an individual shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if such person has reason to believe that the individual receiving the injection is suffering or is about to suffer a life-threatening anaphylactic reaction.</p> <p>4. Provides assistance upon request of any police agency, fire department, rescue or emergency squad, or any governmental agency in the event of an accident or other emergency involving the use, handling, transportation, transmission or storage of liquefied petroleum gas, liquefied natural gas, hazardous material or hazardous waste as defined in § 10.1-1400 or regulations of the Virginia Waste Management Board shall not be</p>	Good Samaritan; however 225.02 outlines Certain liability protection for health care providers during emergencies

State	Citation(s)	Statute(s)	Note
		<p>liable for any civil damages resulting from any act of commission or omission on his part in the course of his rendering such assistance in good faith.</p> <p>5. Is an emergency medical care attendant or technician possessing a valid certificate issued by authority of the State Board of Health who in good faith renders emergency care or assistance whether in person or by telephone or other means of communication, without compensation, to any injured or ill person, whether at the scene of an accident, fire or any other place, or while transporting such injured or ill person to, from or between any hospital, medical facility, medical clinic, doctor's office or other similar or related medical facility, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care, treatment or assistance, including but in no way limited to acts or omissions which involve violations of State Department of Health regulations or any other state regulations in the rendering of such emergency care or assistance.</p> <p>6. In good faith and without compensation, renders or administers emergency cardiopulmonary resuscitation, cardiac defibrillation, including, but not limited to, the use of an automated external defibrillator, or other emergency life-sustaining or resuscitative treatments or procedures which have been approved by the State Board of Health to any sick or injured person, whether at the scene of a fire, an accident or any other place, or while transporting such person to or from any hospital, clinic, doctor's office or other medical facility, shall be deemed qualified to administer such emergency treatments and procedures and shall not be liable for acts or omissions resulting from the rendering of such emergency resuscitative treatments or procedures.</p> <p>7. Operates an automated external defibrillator at the scene of an emergency, trains individuals to be operators of automated external defibrillators, or orders automated external defibrillators, shall be immune from civil liability for any personal injury that results from any act or omission in the use of an automated external defibrillator in an emergency where the person performing the defibrillation acts as an ordinary, reasonably prudent person would have acted under the same or similar circumstances, unless such personal injury results from gross negligence or willful or wanton misconduct of the person rendering such emergency care.</p> <p>8. Is a volunteer in good standing and certified to render emergency care</p>	

State	Citation(s)	Statute(s)	Note
		<p>by the National Ski Patrol System, Inc., who, in good faith and without compensation, renders emergency care or assistance to any injured or ill person, whether at the scene of a ski resort rescue, outdoor emergency rescue or any other place or while transporting such injured or ill person to a place accessible for transfer to any available emergency medical system unit, or any resort owner voluntarily providing a ski patroller employed by him to engage in rescue or recovery work at a resort not owned or operated by him, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care, treatment or assistance, including but not limited to acts or omissions which involve violations of any state regulation or any standard of the National Ski Patrol System, Inc., in the rendering of such emergency care or assistance, unless such act or omission was the result of gross negligence or willful misconduct.</p> <p>9. Is an employee of a school board, authorized by a prescriber and trained in the administration of insulin and glucagon, who, upon the written request of the parents as defined in § 22.1-1, assists with the administration of insulin or administers glucagon to a student diagnosed as having diabetes who requires insulin injections during the school day or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if the insulin is administered according to the child's medication schedule or such employee has reason to believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening hypoglycemia. Whenever any employee of a school board is covered by the immunity granted herein, the school board employing him shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such insulin or glucagon treatment.</p> <p>B. Any licensed physician serving without compensation as the operational medical director for a licensed emergency medical services agency in this Commonwealth shall not be liable for any civil damages for any act or omission resulting from the rendering of emergency medical services in good faith by the personnel of such licensed agency unless such act or omission was the result of such physician's gross negligence or willful misconduct.</p> <p>Va. Code Ann. § 8.01-225.02 Any person serving without compensation as a dispatcher for any licensed</p>	

State	Citation(s)	Statute(s)	Note
		<p>public or nonprofit emergency services agency in this Commonwealth shall not be liable for any civil damages for any act or omission resulting from the rendering of emergency services in good faith by the personnel of such licensed agency unless such act or omission was the result of such dispatcher's gross negligence or willful misconduct.</p> <p>Any individual, certified by the State Office of Emergency Medical Services as an emergency medical services instructor and pursuant to a written agreement with such office, who, in good faith and in the performance of his duties, provides instruction to persons for certification or recertification as a certified basic life support or advanced life support emergency medical services technician shall not be liable for any civil damages for acts or omissions on his part directly relating to his activities on behalf of such office unless such act or omission was the result of such emergency medical services instructor's gross negligence or willful misconduct.</p> <p>Any licensed physician serving without compensation as a medical advisor to an E-911 system in this Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering medical advice in good faith to establish protocols to be used by the personnel of the E-911 service, as defined in § 58.1-1730, when answering emergency calls unless such act or omission was the result of such physician's gross negligence or willful misconduct.</p> <p>Any licensed physician who directs the provision of emergency medical services, as authorized by the State Board of Health, through a communications device shall not be liable for any civil damages for any act or omission resulting from the rendering of such emergency medical services unless such act or omission was the result of such physician's gross negligence or willful misconduct.</p> <p>Any licensed physician serving without compensation as a supervisor of an automated external defibrillator in this Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering medical advice in good faith to the owner of the automated external defibrillator relating to personnel training, local emergency medical services coordination, protocol approval, automated external defibrillator deployment strategies, and equipment maintenance plans and records unless such act or omission was the result of such physician's gross negligence or willful misconduct.</p>	

State	Citation(s)	Statute(s)	Note
		<p>C. Any communications services provider, as defined in § 58.1-647, including mobile service, and any provider of Voice-over-Internet Protocol service, in this Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering such service with or without charge related to emergency calls unless such act or omission was the result of such service provider's gross negligence or willful misconduct.</p> <p>Any volunteer engaging in rescue or recovery work at a mine or any mine operator voluntarily providing personnel to engage in rescue or recovery work at a mine not owned or operated by such operator, shall not be liable for civil damages for acts or omissions resulting from the rendering of such rescue or recovery work in good faith unless such act or omission was the result of gross negligence or willful misconduct. For purposes of this subsection, the term "Voice-over-Internet Protocol service" or "VoIP service" means any Internet protocol-enabled services utilizing a broadband connection, actually originating or terminating in Internet Protocol from either or both ends of a channel of communication offering real time, multidirectional voice functionality, including, but not limited to, services similar to traditional telephone service.</p> <p>D. Nothing contained in this section shall be construed to provide immunity from liability arising out of the operation of a motor vehicle.</p> <p>E. [Expired.]</p> <p>F. For the purposes of this section, the term "compensation" shall not be construed to include (i) the salaries of police, fire or other public officials or personnel who render such emergency assistance, (ii) the salaries or wages of employees of a coal producer engaging in emergency medical technician service or first aid service pursuant to the provisions of § 45.1-161.38, 45.1-161.101, 45.1-161.199 or 45.1-161.263, (iii) complimentary lift tickets, food, lodging or other gifts provided as a gratuity to volunteer members of the National Ski Patrol System, Inc., by any resort, group or agency, (iv) the salary of any person who (a) owns an automated external defibrillator for the use at the scene of an emergency, (b) trains individuals, in courses approved by the Board of Health, to operate automated external defibrillators at the scene of emergencies, (c) orders automated external defibrillators for use at the scene of emergencies, or (d) operates an automated external defibrillator at the scene of an emergency, or (v) expenses reimbursed to any person providing care or assistance pursuant to this section.</p>	

State	Citation(s)	Statute(s)	Note
		<p>For the purposes of this section, an emergency medical care attendant or technician shall be deemed to include a person licensed or certified as such or its equivalent by any other state when he is performing services which he is licensed or certified to perform by such other state in caring for a patient in transit in this Commonwealth, which care originated in such other state.</p> <p>Further, the public shall be urged to receive training on how to use cardiopulmonary resuscitation (CPR) and an automated external defibrillator (AED) in order to acquire the skills and confidence to respond to emergencies using both CPR and an AED.</p> <p>Va. Code Ann. § 8.01-225.02 A. In the absence of gross negligence or willful misconduct, any health care provider who responds to a disaster shall not be liable for any injury or wrongful death of any person arising from the delivery or withholding of health care when (i) a state or local emergency has been or is subsequently declared in response to such disaster, and (ii) the emergency and subsequent conditions caused a lack of resources, attributable to the disaster, rendering the health care provider unable to provide the level or manner of care that otherwise would have been required in the absence of the emergency and which resulted in the injury or wrongful death at issue.</p> <p>B. For purposes of this section: "Disaster" means any "disaster," "emergency," or "major disaster" as those terms are used and defined in § 44-146.16; and "Health care provider" has the same definition as provided in § 8.01-581.1.</p>	
	Va. Code Ann. § 8.01-581.1 (2008)	<p>As used in this chapter: "Health care" means any act, professional services in nursing homes, or treatment performed or furnished, or which should have been performed or furnished, by any health care provider for, to, or on behalf of a patient during the patient's medical diagnosis, care, treatment or confinement.</p> <p>"Health care provider" means (i) a person, corporation, facility or institution licensed by this Commonwealth to provide health care or professional services as a physician or hospital, dentist, pharmacist, registered nurse or licensed practical nurse or a person who holds a multistate privilege to practice such nursing under the Nurse Licensure Compact, optometrist, podiatrist, chiropractor, physical therapist, physical therapy assistant, clinical psychologist, clinical social worker, professional counselor, licensed marriage and family therapist, licensed dental hygienist, health</p>	Definitions

State	Citation(s)	Statute(s)	Note
		<p>maintenance organization, or emergency medical care attendant or technician who provides services on a fee basis; (ii) a professional corporation, all of whose shareholders or members are so licensed; (iii) a partnership, all of whose partners are so licensed; (iv) a nursing home as defined in § 54.1-3100 except those nursing institutions conducted by and for those who rely upon treatment by spiritual means alone through prayer in accordance with a recognized church or religious denomination; (v) a professional limited liability company comprised of members as described in subdivision A 2 of § 13.1-1102; (vi) a corporation, partnership, limited liability company or any other entity, except a state-operated facility, which employs or engages a licensed health care provider and which primarily renders health care services; or (vii) a director, officer, employee, independent contractor, or agent of the persons or entities referenced herein, acting within the course and scope of his employment or engagement as related to health care or professional services.</p> <p>...</p>	
Washington (WA)	Wash. Rev. Code Ann. § 18.71.220 (LexisNexis 2008)	No physician or hospital licensed in this state shall be subject to civil liability, based solely upon failure to obtain consent in rendering emergency medical, surgical, hospital, or health services to any individual regardless of age where its patient is unable to give his consent for any reason and there is no other person reasonably available who is legally authorized to consent to the providing of such care: PROVIDED, That such physician or hospital has acted in good faith and without knowledge of facts negating consent.	Rendering emergency care -- Immunity of physician or hospital from civil liability
	Wash. Rev. Code Ann. § 38.52.198 (LexisNexis 2008)	No person engaged in mine rescue or recovery work who, in good faith, renders emergency care , rescue, assistance, or recovery services at the scene of any emergency at or in a mine in this state or who employs, sponsors, or represents any person rendering emergency care , rescue, assistance, or recovery services shall be liable for any civil damages as a result of any act or omission by any person in rendering emergency care, rescue, assistance, or recovery service.	Emergency care, rescue, assistance, or recovery services in mine rescue or recovery work -- Immunity from liability
	Wash. Rev. Code Ann. § 70.136.050 (LexisNexis 2008)	<p>An incident command agency in the good faith performance of its duties, is not liable for civil damages resulting from any act or omission in the performance of its duties, other than acts or omissions constituting gross negligence or wilful or wanton misconduct.</p> <p>Any person or public agency whose assistance has been requested by an incident command agency, who has entered into a written hazardous materials assistance agreement before or at the scene of the incident pursuant to RCW 70.136.060 and 70.136.070, and who, in good faith, renders emergency care, assistance, or advice with respect to a hazardous materials incident, is not liable for civil damages</p>	Persons and agencies rendering emergency aid in hazardous materials incidents -- Immunity from liability -- Limitations

State	Citation(s)	Statute(s)	Note
		resulting from any act or omission in the rendering of such care, assistance, or advice, other than acts or omissions constituting gross negligence or wilful or wanton misconduct.	
West Virginia (WV)	W. Va. Code Ann. § 15-5-11(b)-(d) (LexisNexis 2008)	<p>(b) Any requirement for a license to practice any professional, mechanical or other skill does not apply to an authorized emergency service worker who shall, in the course of performing his or her duties, practice such skill during an emergency.</p> <p>(c) As used in this section, "duly qualified emergency service worker" means:</p> <p>(1) Any duly qualified full or part-time paid, volunteer or auxiliary employee of this state, or any other state, territory, possession or the District of Columbia, of the federal government, of any neighboring country or political subdivision thereof or of any agency or organization performing emergency services in this state subject to the order or control of or pursuant to the request of the state or any political subdivision thereof.</p> <p>(2) Duly qualified instructors and properly supervised students in recognized educational programs where emergency services are taught. A recognized educational program shall include any program in an educational institution existing under the laws of this state and such other educational programs as shall be established by the Division of Homeland Security and Emergency Management or otherwise under this article.</p> <p>(3) A member of any duly qualified mine rescue team designated by a mine operator pursuant to the provisions of section thirty-five [§ 22A-1-35], article one, chapter twenty-two-a of this code who is performing or engaging in emergency rescue services.</p> <p>(d) A duly qualified emergency service worker performing his or her duty in this state pursuant to any lawful agreement, compact or arrangement for mutual aid and assistance to which the state or a political subdivision is a party shall possess the same powers, duties, immunities and privileges he or she would possess if performing the same duties in his or her own state, province or political subdivision thereof.</p>	Homeland Security and Emergency Management – Immunity and exemption; "duly qualified emergency service worker" defined
Wisconsin (WI)	Wis. Stat. § 895.48 (2008)	(1) Any person who renders emergency care at the scene of any emergency or accident in good faith shall be immune from civil liability for his or her acts or omissions in rendering such emergency care. This immunity does not extend when employees trained in health care or health care professionals render emergency care for compensation and within the scope of their usual and customary employment or	Good Samaritan – Restricts immunity to services rendered at the scene and outside of an equipped

State	Citation(s)	Statute(s)	Note
		<p>services is liable for the death of or injury to any person or damage to any property caused by his or her actions if the person did so under all of the following conditions:</p> <p>1. Under the direction of the governor, the adjutant general, the governing body, chief or acting chief executive officer, or head of emergency management services of any county, town, municipality, or federally recognized American Indian tribe or band in this state, the department of health services if that department is designated by the governor under s. 166.03 (1) (b) 1., or the local health department acting under s. 251.05 (3) (e) 1. Under the direction of the governor, the adjutant general, the governing body, chief or acting chief executive officer, or head of emergency management services of any county, town, municipality, or federally recognized American Indian tribe or band in this state, the department of health and family services if that department is designated by the governor under s. 166.03 (1) (b) 1., or the local health department acting under s. 251.05 (3) (e).</p> <p>2. In response to enemy action, a natural or man-made disaster, or a federally declared state of emergency or during a state of emergency declared by the governor.</p> <p>(b) This subsection does not apply if the persons act or omission involved reckless, wanton, or intentional misconduct.</p> <p>(c) This subsection does not affect the right of any person to receive benefits to which he or she otherwise would be entitled under the workers compensation law or under any pension law, nor does it affect entitlement to any other benefits or compensation authorized by state or federal law.</p>	
Wyoming (WY)	Wyo. Stat. Ann. § 1-1-120 (2008)	<p>(a) Any person licensed as a physician and surgeon under the laws of the state of Wyoming, or any other person, who in good faith renders emergency care or assistance without compensation at the place of an emergency or accident, is not liable for any civil damages for acts or omissions in good faith.</p> <p>(b) Persons or organizations operating volunteer ambulances or rescue vehicles supported by public or private funds, staffed by unpaid volunteers, and which make no charge, or charge an incidental service or user fee, for services rendered during medical emergencies, and the unpaid volunteers who staff ambulances and rescue vehicles are not liable for any civil damages for acts or omissions in good faith in furnishing emergency medical services. This immunity does not apply to acts or omissions constituting gross negligence or willful or wanton misconduct.</p>	<p>Good Samaritan –</p> <ol style="list-style-type: none"> 1. Persons rendering emergency assistance exempt from civil liability 2. Persons OR organizations that operate volunteer ambulances or other medical and rescue transport vehicles

State	Citation(s)	Statute(s)	Note
		<p>For purposes of this section, "unpaid volunteers" means persons who either receive incidental remuneration on a per call basis or receive no more than one thousand dollars (\$1,000.00) annually for volunteer ambulance and rescue activities. The immunity provided by this subsection shall extend to a physician while serving in his capacity as medical director of any ambulance service, to hospitals and hospital employees for activities directly related to providing clinical training as part of an emergency medical service class approved by the department of health, and to students while participating in emergency medical services training approved by the department of health. If an unpaid volunteer's, medical director's, hospital's or trainee's acts or omissions are subject to the provisions of the Wyoming Governmental Claims Act, immunity under this section is waived to the extent of the maximum liability provided under W.S. 1-39-118.</p> <p>(c) Any person who provides assistance or advice without compensation other than reimbursement of out-of-pocket expenses in mitigating or attempting to mitigate the effects of an actual or threatened discharge of hazardous materials, or in preventing, cleaning up or disposing of or in attempting to prevent, clean up or dispose of any discharge of hazardous materials, is not liable for any civil damages for acts or omissions in good faith in providing the assistance or advice. This immunity does not apply to acts or omissions constituting gross negligence or willful or wanton misconduct . . .</p>	
	Wyo. Stat. Ann. § 1-1-125 (2008)	<p>(a) As used in this section:</p> <p>(i) "Compensation" does not include actual and necessary expenses that . . . are reimbursed to the volunteer or otherwise paid nor does it include any incidental personal privileges received by volunteers for their services;</p> <p>(ii) "Nonprofit organization" means those nonprofit organizations exempt from federal income tax pursuant to section 501(c) of the Internal Revenue Code;</p> <p>(iii) "Volunteer" means an officer, director, trustee or other person who performs services for a nonprofit organization but does not receive compensation, either directly or indirectly, for those services, or a volunteer firefighter who performs services for a volunteer fire department under W.S. 35-9-601(h) whether or not he receives compensation or a pension.</p> <p>(b) Except as provided in subsection (c) of this section, a volunteer who provides services or performs duties on behalf of a nonprofit organization or a volunteer fire department is personally immune from</p>	Section expressly excludes immunity for instances involving a motor vehicle

State	Citation(s)	Statute(s)	Note
		<p>civil liability for any act or omission resulting in damage or injury if at the time of the act or omission:</p> <p>(i) The person was acting within the scope of his duties as a volunteer for the nonprofit organization or volunteer fire department; and</p> <p>(ii) The act or omission did not constitute willful or wanton misconduct or gross negligence.</p> <p>(c) This section does not grant immunity to any person causing damage as a result of the negligent operation of a motor vehicle.</p> <p>(d) In any suit against a nonprofit organization or a volunteer fire department for civil damages based upon the negligent act or omission of a volunteer, proof of the act or omission shall be sufficient to establish the responsibility of the organization or department under the doctrine of respondeat superior, notwithstanding the immunity granted to the volunteer with respect to any act or omission included under subsection (b) of this section.</p>	
	Wyo. Stat. Ann. § 1-1-129 (2008)	<p>(a) As used in this section:</p> <p>(i) "Health care professional" means any of the following who provide medical or dental diagnosis, care or treatment:</p> <p>(A) Physicians, osteopaths and physician assistants licensed to practice as provided in title 33, chapter 26 of the Wyoming statutes;</p> <p>(B) All nurses licensed to practice as provided in title 33, chapter 21 of the Wyoming statutes;</p> <p>(C) Pharmacists licensed to practice as provided in title 33, chapter 24 of the Wyoming statutes;</p> <p>(D) Dentists and dental hygienists licensed to practice as provided in title 33, chapter 15 of the Wyoming statutes; and</p> <p>(E) Optometrists licensed to practice as provided in title 33, chapter 23 of the Wyoming statutes.</p> <p>...</p> <p>(iii) "Nonprofit health care facility" means a charitable nonprofit corporation or association organized and operated under title 17, chapters 19 or 22 of the Wyoming statutes, or any charitable organization not organized and not operated for profit, that exclusively provides health care services to low income uninsured persons, except that "health care facility" does not include a hospital, including a swing bed hospital, facility or center defined under W.S. 35-2-901 or any other medical facility that is operated for profit;</p>	Immunity from liability for volunteer health care professionals; insurance required of nonprofit health care facility

State	Citation(s)	Statute(s)	Note
		<p>... (vi) "Volunteer" means an individual who provides any medical, dental or other health care related diagnosis, care or treatment without the expectation of receiving, and without receipt of, any compensation or other form of remuneration from a low income uninsured person, another person on behalf of a low income uninsured person, any health care facility or any other person or government entity.</p> <p>(b) Subject to subsection (d) of this section, a health care professional who is a volunteer and complies with subsection (c) of this section is not liable in damages to any person or government entity in a tort or other civil action, including an action on a medical, dental or other health-related claim for injury, death or loss to person or property that allegedly arises from an action or omission of the volunteer in the provision at a nonprofit health care facility to a low income uninsured person of medical, dental or other health-related diagnosis, care or treatment, including the provision of samples of medicine and other medical or dental products, unless the action or omission constitutes willful or wanton misconduct.</p> <p>(c) To qualify for immunity under subsection (b) of this section, a volunteer health care professional shall do all of the following prior to the initial diagnosis, care or treatment: (i) Inform the person of the provisions of this section either personally or by means of a writing so stating provided by the nonprofit health care facility and signed by the person, or by another individual on behalf of, and in the presence of, the person; and (ii) Obtain the informed consent of the person and a written waiver, signed by the person, or by another individual on behalf of, and in the presence of, the person.</p> <p>(d) Except as provided in this subsection, the immunities provided by subsection (b) of this section are not available to a volunteer health care professional, if at the time of an alleged injury, death or loss to person or property, the volunteer health care professional involved was performing an operation or delivering a baby. This subsection does not apply to a volunteer health care professional who provides diagnosis, care or treatment or performs an operation or delivers a baby when necessary to preserve the life of a person in a medical emergency.</p> <p>(e) In order for the immunity under subsection (b) of this section to apply</p>	<p>Offers some protections but they are contingent upon volunteer provider obtaining consent and disclosing that immunity from civil liability absent gross negligence</p>

State	Citation(s)	Statute(s)	Note
		<p>and before the rendering of any services by the volunteer health care professional at the nonprofit health care facility, there must be a written agreement between the volunteer health care professional and the facility pursuant to which the volunteer health care professional will provide medical, dental or health care related diagnosis, care or treatment under the control of the facility to patients of the facility.</p> <p>(f) A nonprofit health care facility entering into a written agreement under subsection (e) of this section shall maintain liability coverage of not less than one million dollars (\$1,000,000.00) per occurrence, except that no such coverage shall be required to be maintained by the facility if such coverage is maintained by all volunteer health care professionals rendering services at the facility. A nonprofit health care facility shall be liable for the negligent acts of a volunteer health care professional providing diagnosis, care or treatment at the facility only in the circumstances and to the extent the facility is required to maintain liability coverage under this subsection.</p>	
	Wyo. Stat. Ann. § 19-13-113(b)-(d) (2008)	<p>(b) Any requirement for a license to practice any professional, mechanical or other skill does not apply to any authorized homeland security worker who, in the course of performing homeland security duties, practices a professional, teaching, training, mechanical or other skill during a homeland security emergency, in training for an emergency or during homeland security exercises.</p> <p>(c) As used in this section "homeland security worker" includes any full or part-time paid, volunteer or auxiliary employee of any state, territories or possessions of the United States, the District of Columbia, any neighboring country, any political subdivision thereof, or any agency or program performing homeland security services at any place in this state subject to the order or control of or pursuant to a request of the state government or any political subdivision thereof and includes instructors and students in recognized educational programs where homeland security services are taught. A recognized educational program includes programs in educational institutions duly existing under the laws of this state and such other educational programs as are established by the office of homeland security or otherwise under this act.</p> <p>(d) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege or otherwise permits the designation or use of the whole or any part of the real estate or premises for the purposes of sheltering persons during an actual, impending, mock or practice exercise, together with his successors</p>	Homeland security workers defined; granted immunity for non-negligent acts relating to their duties during emergencies or homeland security exercises

State	Citation(s)	Statute(s)	Note
		in interest, is not civilly liable for negligently causing the death of or injury to any person on or about the real estate or premises nor for loss of or damage to the property of any person.	