



Congress Should Protect Medical Volunteers During Disasters

In times of crisis, Americans respond with a selflessness and vitality that is unmatched in the world. Healthcare professionals are no exception. They know that their expertise is critical in the event of widespread medical emergencies, and they respond accordingly when disaster strikes. Unfortunately, because of their unique skills, the current medical professional liability system requires healthcare providers to take on an additional layer of risk when they treat victims of disasters. Federal law does not provide civil liability protection to healthcare professionals who cross state lines to provide volunteer care during disasters, nor does it protect those who spontaneously volunteer their services when such circumstances arise. Furthermore, the current patchwork of state laws that aim to encourage medical volunteerism are inconsistent and often unclear, especially when applied to large-scale disasters. Hence, healthcare professionals must often choose between fulfilling their Hippocratic Oath and protecting themselves from civil liability when their fellow Americans need them the most. H.R. 1876/S.781, the *Good Samaritan Health Professionals Act* provides limited protection from lawsuits to healthcare professionals when they volunteer their services during a federally-declared disaster.

H.R. 1876/S.781, “Good Samaritan Health Professionals Act”

- Provides limited civil liability protection to healthcare professionals who volunteer their services in response to a federally declared disaster.
- Applies to treatment provided in a secondary state by a healthcare provider to a victim of a federally declared disaster.
- Protects medical volunteers who respond to disasters outside the purview of a non-profit organization or government agency that is formally recognized to respond to federal emergencies.
- Ensures that disaster victims will have timely access to trained healthcare providers who will provide them with the highest quality care possible.
- Preserves a victim’s access to compensation in the event of an injury that results from an act or omission by the provider that constitutes willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious flagrant indifference to the rights or safety of the victim.
- Enhances clarity regarding the patchwork of state laws encouraging medical volunteerism, thereby reducing risk and uncertainty for healthcare professionals.

Co-Sponsor H.R. 1876 / S.782 Today

For more information, please contact PIAA’s Government Relations Department at (301) 947-9000 or governmentsrelations@piao.us.

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