

## Displaying information for All Roles located in Federal for All Scenarios

### Liability: Foreign Firefighter Agreements

42 USCS 1856n-1

Firefighter

When the U.S. enters into an agreement with a foreign fire organization for aid during a wildfire, the party requesting aid must assume legal responsibility for the aiding party for acting or failing to act.

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### Liability: Public Health Countermeasure

42 USCS 247d-6d(a)

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

When an public health emergency declaration is in effect, certain people will not be held legally responsible for loss related to the use of a countermeasure.

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### Liability: Volunteer

42 USCS 14503(a)

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

A nonprofit or government volunteer who acts within the scope of their duties and are appropriately licensed or certified will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

This section does not apply to a volunteer operating a motor vehicle, vessel, or aircraft.

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### Liability: Food Donation

42 USCS 1791

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual who, in good faith, donates foods or goods appearing to be wholesome to a nonprofit will not be held legally responsible regarding the nature, age, or condition of the donation. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

This section also applies to a person who collection the donation of foods or goods.

**Liability: Hazardous Waste Assistance**

42 USCS 9607(d)

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual who provides care, assistance, or advice regarding the release, or threat of release, of a hazardous material will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness.

This section also applies to state and local governments aiding, assisting, or advising regarding a release of a hazardous waste.

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**Liability: Use of AED**

42 USCS 238q

Volunteer / Other, Government Public Health, Firefighter, Law Enforcement

An individual who uses, or attempts to use, an AED on a victim of a medical emergency will not be held legally responsible. They can be held legally responsible if they fail to notify emergency response personnel or they act with extreme carelessness.

This legal protection does not apply to a licensed health professional working within the scope of their license or when an AED is used in a hospital or health care setting.

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**Liability: Intermittent Disaster Response Personnel**

42 USCS 300hh-11(c)

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An intermittent disaster response personnel who acts within the scope of their appointment will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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**Liability: Cost of Care and Assistance**

42 USCS 5160(b)

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual who provides care or assistance in response to a disaster or emergency will not be responsible for costs incurred by the U.S. for the care or assistance.

### **Liability: Federal Government**

44 CFR 206.9

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

The federal government will not be held legally responsible for the performance, or failure to perform, a discretionary emergency management duty by an agency or employee.

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### **License Reciprocity: Health Professional**

42 USCS 1320b-5

Other medical professional, Nurse, Physician, EMT, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

When an emergency declaration is in effect, the Secretary can waive licensing requirements for health professionals to be licensed in the state where the emergency has been declared if they have equivalent licensing in another state. The Secretary can also waive the requirement that patients be stabilized prior to being transferred if necessary due to the declared emergency and the requirement of obtaining the patient's consent to speak with family members.

These waivers last until the end of the declared emergency or up to 60 days.

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### **Workers' Compensation: Government Employee and Officer**

20 CFR 10.5

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

A civil officer, government employee, or an authorized individual is entitled to workers' compensation if injured or killed while performing their duties.

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### **Workers' Compensation: Intermittent Disaster Response Personnel**

42 USCS 300hh-11(d)

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

Intermittent disaster response personnel are entitled to workers' compensation when injured in the performance of their duty.

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### **Relevant Compacts**

Western Interstate Nuclear Compact  
Emergency Management Assistance Compact