

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

### Liability: Nonprofit Providing Shelter

HRS 663-10.6(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 organization that, in good faith and without compensation, provides shelter to a person as part of their activities will not be held legally responsible for any injury or damage. It can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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### Liability: Providing Shelter

HRS 127A-20

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 emergency declaration is in effect, an individual or organization owning or controlling real estate who, voluntarily and without compensation, allows it to be used to shelter people will not be held legally responsible for death, injury, or damage to a person's property while on their real estate.

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### Liability: Use of Private Property

HRS 663-10.7

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 owner of private property who, in good faith and without compensation, provides access to land, shelter, or subsistence to a person during a disaster will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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### Powers, Duties, Rights, and Privileges: Emergency Workers Providing Aid in Another Jurisdiction

HRS 127A-8(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 individual whose services have been accepted by an authorized person during an emergency or an emergency training will be considered a State or county employee and will have the same powers, duties, rights, and privileges of a State or county employee.

**Scope of Practice: Physician Assistant Supervision During a Disaster**

HRS 321-23.3(e)

Other medical professional, Physician

A physician assistant licensed in a U.S. jurisdiction who is responding to an emergency or disaster can provide medical care they are authorized to provide with whatever physician supervision is available. A physician who, voluntarily and without compensation, supervises a physician assistant under this section will not be held legally responsible for any personal injury caused by the care provided by a physician assistant.

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**Liability: Use of an AED**

HRS 663-1.5(e)

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 and without compensation, provides emergency care by using an AED 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: Traffic on Private Property**

HRS 135-3

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 owner of private property who, during an emergency or traffic accident, has the chief of police direct vehicles, pedestrians, or bicyclists onto their property will not be held legally responsible for any injury or death to a person or property while on the property.

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**Liability: Volunteer Emergency Medical Disaster Response Personnel**

HRS 321-23.3(d)

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

Volunteer emergency medical disaster response personnel who provide emergency services during a mass casualty event or disaster will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with intent to cause harm.

**Liability: Donation of Goods**

HRS 663-10.6(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 donates goods, foods, material, or services to a nonprofit organization will not be held legally responsible for injuries or damage caused by the donation. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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**Liability: Rescue Team**

HRS 663-1.5(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

A rescue team or a physician working in communication with a rescue team who, in good faith, resuscitates, or attempts to, a person in immediate danger of loss of life will not be held legally responsible.

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**Liability: Volunteer Firefighter**

HRS 663-1.55

Firefighter

A volunteer firefighter who, in good faith, provides their services will not be held legally responsible for acting or failing to act. They can be held legally responsible for acting with extreme carelessness or intent to cause harm.

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**Rights, Privileges, Duties, and Powers: Volunteer Emergency Medical Disaster Response Personnel Providing Aid in Another Jurisdiction**

HRS 321-23.3(a)

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

Volunteer emergency medical disaster response personnel who are licensed in the state and provide services related to a disaster or mass casualty event will be considered state employees and will have the same rights, privileges, duties, and powers.

### **Good Samaritan Law**

HRS 663-1.5(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

An individual who, in good faith and without compensation, provides emergency care at the scene of an emergency 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.

Generally, Good Samaritan laws only offer protection for those individuals who provide care during spontaneous emergencies unrelated to volunteer deployment.

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### **Liability: Physician or Physician Assistant Training of AED**

HRS 663-1.5(f)

Other medical professional, Physician

A physician or physician assistant who provides a training for the use of an AED 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: Volunteer**

HRS 662D-2

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 volunteer who, in good faith, provides services within their scope of duties to a nonprofit, a hospital, or a government entity will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with extreme carelessness.

This section does not apply if the volunteer is operating a motor vehicle, interferes with the lawful activities of another, or commits a criminal offense.

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### **Liability: Volunteer Medical Assistance Personnel**

HRS 321-2.5(c)-(e)

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

Volunteer medical assistance personnel who provide their services 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 limit the State or a county from holding volunteer medical assistance personnel legally responsible.

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### **Hospital Privileges and Credentials: Physician and Physician Assistant**

HRS 321-23.3(b)

Other medical professional, Physician

A physician or physician assistant licensed in the state who has privileges and credentials at a health care facility licensed in the state will have the same privileges and credentials at other hospitals to provide medical care during a mass casualty or disaster condition.

**Powers, Duties, Rights, and Privileges: Emergency Workers Providing Aid in Another Jurisdiction**  
HRS 127A-8(c)

An individual whose services have been accepted by an authorized person during an emergency or an emergency training will be considered a State or county employee and will have the same powers, duties, rights, and privileges of a State or county employee.

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

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**License Reciprocity: Naturopathic Physician**  
HRS 455-8.4

When an emergency declaration is in effect, the Hawaii Medical Board can issue temporary licenses to naturopathic physicians licensed in another state to provide care related to the declaration.

Physician

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**License Reciprocity: Contractor**  
HRS 444-10.6

When an emergency declaration is in effect, an out-of-state licensed contractor can be issued an emergency license when there is a need for contractors.

Volunteer / Other

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**License Reciprocity: Physician**  
HRS 453-3(5)

When a public health emergency declaration is in effect, the Hawaii medical board can issue temporary licenses to physicians and osteopathic physicians who are licensed in another jurisdiction of the U.S.

Physician

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**Rights, Privileges, Duties, and Powers: Volunteer Emergency Medical Disaster Response Personnel Providing Aid in Another Jurisdiction**  
HRS 321-23.3(a)

Volunteer emergency medical disaster response personnel who are licensed in the state and provide services related to a disaster or mass casualty event will be considered state employees and will have the same rights, privileges, duties, and powers.

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

**Powers, Duties, Rights, and Privileges: Emergency Workers Providing Aid in Another Jurisdiction**

HRS 127A-8(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 individual whose services have been accepted by an authorized person during an emergency or an emergency training will be considered a State or county employee and will have the same powers, duties, rights, and privileges of a State or county employee.

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**Scope of Practice: Physician Assistant Supervision During a Disaster**

HRS 321-23.3(e)

Other medical professional, Physician

A physician assistant licensed in a U.S. jurisdiction who is responding to an emergency or disaster can provide medical care they are authorized to provide with whatever physician supervision is available. A physician who, voluntarily and without compensation, supervises a physician assistant under this section will not be held legally responsible for any personal injury caused by the care provided by a physician assistant.

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**Rights, Privileges, Duties, and Powers: Volunteer Emergency Medical Disaster Response Personnel Providing Aid in Another Jurisdiction**

HRS 321-23.3(a)

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

Volunteer emergency medical disaster response personnel who are licensed in the state and provide services related to a disaster or mass casualty event will be considered state employees and will have the same rights, privileges, duties, and powers.

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**Powers, Duties, Rights, and Privileges: Emergency Workers Providing Aid in Another Jurisdiction**

HRS 127A-8(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 individual whose services have been accepted by an authorized person during an emergency or an emergency training will be considered a State or county employee and will have the same powers, duties, rights, and privileges of a State or county employee.

**Workers' Compensation: Volunteer Law Enforcement and Firefighter**

HRS 386-181

A volunteer law enforcement officer or firefighter who is injured while performing their duties for the State or county is entitled to workers' compensation.

Firefighter, Law Enforcement

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**Workers' Compensation: Volunteer Personnel**

HRS 386-171

An individual whose voluntary services have been accepted by an authorized person during an emergency or an emergency training and is injured is entitled to compensation for medical or hospital expenses from the State or a county.

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

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**Workers' Compensation: Volunteer Medical Assistance Personnel**

HRS 321-2.5(b)

Medical assistance personnel who are injured while performing their official duties will have their medical or hospital expenses covered by the State or county.

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

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**Workers' Compensation: Emergency Worker**

HRS 127A-8(d)

An individual whose services have been accepted by an authorized person during an emergency or an emergency training will be considered a State or county employee and is entitled to workers' compensation if they are injured or killed while performing these services.

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

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**Rights, Privileges, Duties, and Powers: Volunteer Emergency Medical Disaster Response Personnel Providing Aid in Another Jurisdiction**

HRS 321-23.3(a)

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

Volunteer emergency medical disaster response personnel who are licensed in the state and provide services related to a disaster or mass casualty event will be considered state employees and will have the same rights, privileges, duties, and powers.

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**Workers' Compensation: Volunteer Emergency Medical Disaster Response Personnel**

HRS 321-23.3(c)

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

Volunteer emergency medical disaster response personnel who are injured or killed while providing their professional services are entitled to workers' compensation.

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**Workers' Benefits: State or County Employee Volunteer Leave**

HRS 78-23.5

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 state or county employee, who is a disaster service volunteer of the American Red Cross or a federally chartered nongovernmental disaster relief organization, is entitled to leave with regular pay and without loss to seniority, pay, vacation time, compensatory time, sick time, or earned overtime accumulation to participate in disaster relief operations with approval of the governor, mayor, or respective designee. The leave will be granted only for services related to a disaster designated as level III or higher by the American Red Cross or officially declared by the President or Governor.

This is limited to up to 30 days of leave.

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**Relevant Compacts**

Recognition of Emergency Medical Services Personnel Licensure Interstate Compact  
Emergency Management Assistance Compact