

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

### Liability: EMT

Idaho Code 56-1014

Physician, EMT, Government Public Health

An EMT who, in good faith, provides emergency medical services to a person perceived to need immediate care 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 also applies to the supervising physician and the government entity or employees overseeing the EMT.

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### Liability: Administration of Opioid Antagonist

Idaho Code 54-1733B

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, administers, prescribes, or dispenses an opioid antagonist will not be held legally responsible for acting. They must alert the emergency medical services immediately after administering the opioid antagonist.

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### Liability: Physician Providing Emergency Care

Idaho Code 39-1391c

Physician

A physician who provides emergency care will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with extreme carelessness.

Regardless of a physician's specialty, they will be considered qualified to provide emergency care but are not required to provide the care.

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### Liability: Volunteer Ambulance Attendant

Idaho Code 5-331

EMT

A volunteer ambulance attendant who provides first aid or emergency medical attention will not be held legally responsible for the care provided. They can be held legally responsible if acting with extreme carelessness.

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**Liability: Hazardous Waste**

Idaho Code 39-4421

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, without compensation, provides assistance or advice to mitigate, prevent, or clean up the effects of an actual or threatened hazardous waste spill will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness, intent to cause harm, or they were the cause of the spill.

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**Liability: Search and Rescue Volunteer**

Idaho Code 5-342

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 member of a search and rescue team 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 if acting with extreme carelessness.

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**Liability: Volunteer Dental License**

Idaho Code 54-935(7)

Other medical professional, Dentist

A retired dentist or dental hygienist who holds a volunteer license and provides their services will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with carelessness.

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**Liability: Use of an AED**

Idaho Code 5-337

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

An individual who, without compensation, provides emergency care by using an AED at the scene of an emergency or accident 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 also applies to a person trained to use an AED or an entity who maintains an AED.

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**Liability: Epi Pen**

Idaho Code 54-1733C(6)

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 entity that maintains, a health care provider who prescribes or dispenses, or an individual who provides training for the use of an epi pen will not be held legally responsible for injuries or damages resulting from the use of an epi pen. They can be held legally responsible for acting with extreme carelessness.

### **Good Samaritan Law**

Idaho Code 5-330

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, provides first aid at the scene of an accident 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: Local or State Emergency Response Team**

Idaho Code 39-7113

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 is part of a state or local emergency response team and is requested to respond to a hazardous substance incident 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.

The State can be held legally responsible for state emergency response teams and the designated city or county can be held legally responsible for local emergency response teams.

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### **License Reciprocity: Emergency Medical Services**

IDAPA 16.01.03.101

EMT

An out-of-state licensed emergency medical services organization can provide their services in Idaho when requested per an interstate compact, an emergency declaration is in effect in Idaho, or transferring a patient from an out-of-state medical facility or disaster.

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### **License Reciprocity: Retired Dentist and Dental Hygienist**

Idaho Code 54-935(1)-(2)

Other medical professional, Dentist

A retired dentist or dental hygienist can apply to receive a volunteer license to provide care at specific locations without compensation. The dentist or hygienist are not required to have been previously licensed in Idaho.

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### **License Reciprocity: Physician**

Idaho Code 54-1804(h)

Physician

An out-of-state licensed physician who, without compensation, provides care in the state during an emergency is not required to hold an Idaho license.

**License Reciprocity: Retired Physician**

IDAPA 22.01.01.080, Idaho Code 54-1841

Physician

A retired physician can apply to receive a volunteer license to provide care at specific locations without compensation.

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**License Reciprocity: Nurse**

Idaho Code 54-1412

Nurse

An out-of-state licensed nurse can provide their services in Idaho when employed by the federal government and performing their official duties.

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**Liability: Physician Providing Emergency Care**

Idaho Code 39-1391c

Physician

A physician who provides emergency care will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with extreme carelessness.

Regardless of a physician's specialty, they will be considered qualified to provide emergency care but are not required to provide the care.

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**Scope of Practice: Physician Assistant During an Emergency**

IDAPA 22.01.03.031

Other medical professional, Physician

When an emergency declaration is in effect, a U.S. licensed physician assistant can provide patient care without supervision or with any supervision available. A physician supervising a physician assistant is not required to follow all requirements during an emergency or a state or local disaster.

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

Idaho Code 67-5338

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 employee of Idaho, who is a certified disaster service volunteer of the American Red Cross, is entitled to leave with regular pay and without loss to paid leave or vacation to participate in disaster relief operations in Idaho or an adjoining state upon request of the American Red Cross. The leave will be granted only for services related to a disaster designated as level III or higher by the American Red Cross or is officially declared by the President or Governor. Part time employees are entitled to leave based on the proportion they work in a 40 hour week.

This is limited to 120 work hours in a 12 month period either consecutively or nonconsecutively .

## **Workers' Compensation: Volunteer**

Idaho Code 72-205

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 emergency responder or a volunteer member of the Department of Disaster and Civil Defense is entitled to workers' compensation if injured or killed while performing their duties.

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## **Relevant Compacts**

Interstate Medical Licensure Compact

Nurse Licensure Compact

Western Interstate Nuclear Compact

Emergency Management Assistance Compact

Pacific Northwest Emergency Management Agreement