

Displaying information for All Roles located in Kentucky for All Scenarios

Liability: Fire Department

KRS 75.070

Firefighter

A fire department, who performs their duties outside the limits of their fire district, will still be considered agents of Kentucky and will not be held legally responsible for damages caused by acting or failing to act.

This section applies while the fire department is answering or returning from a fire or reported fire.

Liability: Administration of Naloxone

KRS 217.186

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 prescribed, directly or by a standing order, naloxone by a licensed health care provider and who, in good faith, administers naloxone 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.

Liability: Donation of Food

KRS 413.248

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 or organization that donates food or a nonprofit that distributes the food at no charge will not be held legally responsible for the condition of the food. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Powers, Duties, Rights, Privileges, and Immunities: County or City Employees Providing Aid in Another Jurisdiction

KRS 39B.080

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 a county or city, who provides emergency management aid outside of their home jurisdiction, will receive the same powers, duties, rights, privileges, and immunities in the outside jurisdiction.

**Sovereign Immunity: Disaster or
Emergency Response Volunteer or
Worker**

KRS 39A.280(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

A registered disaster or emergency response volunteer or worker, who provides their services within the scope of their role, will be defended by the Attorney General if a civil action is brought due to the volunteer or worker acting or failing to act.

Liability: Use of Epi Pen

KRS 311.647

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 the use of an epi pen, 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 health care provider who prescribes, a pharmacist who dispenses, an entity who stores, and an individual who trains the use of an epi pen.

Liability: Providing Shelter

KRS 39A.280(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

An individual owning or controlling real estate, who, voluntarily and without compensation, allows it to be used to shelter people during an actual, impending, or mock disaster or emergency will not be held legally responsible for death, injury, or damage to a person's property while on their real estate.

**Good Samaritan Law: Paramedic or
First Responder**

KRS 311A.150

EMT

A paramedic or first responder, who provides emergency care at the scene of an emergency without proper medical equipment, 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.

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

Liability: Professional Architect or Engineer

KRS 39A.280(8)

Volunteer / Other

A professional architect or engineer, who, voluntarily and without compensation, provides their services at the scene of a declared emergency at the request of a public official, 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 only applies for during or within 90 days after the end of a disaster.

Liability: Complying with Orders or Regulations

KRS 39A.280(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

The state, a political subdivision, an employee of the state or a political subdivision, a disaster and emergency services organization, or a volunteer or member of a disaster and emergency services organization, who, in good faith, complies, or attempts to comply, with orders or regulations related to an emergency or disaster, will not be held legally responsible for damage to property or injury to a person. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Good Samaritan Law: Health Care Provider

KRS 411.148

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 licensed physician, nurse, EMT, a person certified to perform CPR, or an employee of a board of education, who, without compensation, provides emergency care at the scene of an emergency without proper medical equipment, 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.

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

License Reciprocity: Mutual Aid Agreement

KRS 39A.260

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 emergency management worker, who holds a license or certificate to practice a profession in another state, will be considered license in Kentucky for the period of the aid request. They can be disciplined by the appropriate Kentucky licensing board for acting with extreme carelessness.

This section is limited to aid pursuant to a mutual aid agreement.

Liability: Use of an AED

KRS 311.668

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 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.

This section also applies to a licensed physician who is involved with the placement of the AED.

Liability: State and Political Subdivision

KRS 39A.280(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

The state, a political subdivision, or an agent of the state or a political subdivision will not be held legally responsible for a personal injury or property damage sustained by an emergency or disaster volunteer.

The state or a political subdivision can maintain liability insurance for acts related to this section.

This section does not limit a person's right to workers' compensation.

Powers, Duties, Rights, Privileges, and Immunities: County or City Employees Providing Aid in Another Jurisdiction

KRS 39B.080

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 a county or city, who provides emergency management aid outside of their home jurisdiction, will receive the same powers, duties, rights, privileges, and immunities in the outside jurisdiction.

License Reciprocity: Elevator Mechanic

KRS 198B.4019

Volunteer / Other

When an emergency declaration is in effect, the Department of Housing, Buildings, and Construction can issue emergency elevator mechanic licenses. An elevator mechanic must apply for this within 5 days of the declaration.

This license is valid for up to 45 days.

Scope of Practice: Emergency Medical Personnel

202 KAR 7:701(10)

EMT

An out-of-state licensed emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic can provide aid in Kentucky during mass casualties or disasters and must follow the scope of practice of a similarly licensed Kentucky provider.

Scope of Practice: Volunteer Health Practitioners During Emergency Declaration

KRS 39A.354

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

When an emergency declaration is in effect, the Cabinet for Health and Family Services, in coordination with the Kentucky Division of Emergency Management, can limit or change volunteer health practitioners' scope of practice, areas they can practice, and the type of practitioners allowed to practice.

License Reciprocity: Mutual Aid Agreement

KRS 39A.260

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 emergency management worker, who holds a license or certificate to practice a profession in another state, will be considered license in Kentucky for the period of the aid request. They can be disciplined by the appropriate Kentucky licensing board for acting with extreme carelessness.

This section is limited to aid pursuant to a mutual aid agreement.

License Reciprocity: Nurse

KRS 314.101(1)(a)

Nurse

When an emergency declaration is in effect, an out-of-state licensed nurse, who is in Kentucky to provide aid, is not required to follow licensing requirements of Kentucky.

License Reciprocity: Emergency Responder

KRS 39B.045(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

An emergency responder, who holds a license, certificate, or permit in another jurisdiction, will be considered licensed, certified, or permitted in Kentucky as long as they act within the scope of practice of a similarly licensed professional from Kentucky.

Powers, Duties, Rights, Privileges, and Immunities: County or City Employees Providing Aid in Another Jurisdiction

KRS 39B.080

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 a county or city, who provides emergency management aid outside of their home jurisdiction, will receive the same powers, duties, rights, privileges, and immunities in the outside jurisdiction.

Scope of Practice: Pharmacist

KRS 315.500

Pharmacist

When an emergency declaration is in effect, the Governor can declare emergency authority for pharmacists for up to 30 days. Emergency authority allows a pharmacist to dispense up to 30 days of emergency supply medication, administer immunization to children per official protocols, operate a temporary pharmacy, and dispense drugs as needed to prevent or treat the disease responsible for the declaration.

Scope of Practice: Emergency Medical Personnel

202 KAR 7:701(10)

EMT

An out-of-state licensed emergency medical responder, emergency medical technician, advanced emergency medical technician, or paramedic can provide aid in Kentucky during mass casualties or disasters and must follow the scope of practice of a similarly licensed Kentucky provider.

Scope of Practice: Volunteer Health Practitioners During Emergency Declaration

KRS 39A.354

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

When an emergency declaration is in effect, the Cabinet for Health and Family Services, in coordination with the Kentucky Division of Emergency Management, can limit or change volunteer health practitioners' scope of practice, areas they can practice, and the type of practitioners allowed to practice.

Scope of Practice: Volunteer Health Practitioner

KRS 39A.358

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

An out-of-state licensed volunteer health practitioner must follow the scope of practice of a similarly licensed practitioner licensed in Kentucky.

License Reciprocity: Emergency Responder

KRS 39B.045(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

An emergency responder, who holds a license, certificate, or permit in another jurisdiction, will be considered licensed, certified, or permitted in Kentucky as long as they act within the scope of practice of a similarly licensed professional from Kentucky.

Workers' Benefits: State Employee Volunteer Leave

KRS 61.395

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 employee, who is a certified disaster service volunteer of the American Red Cross, is entitled to leave with regular pay and without loss to seniority, pay, vacation time, sick leave, or earned overtime accumulation to participate in disaster relief operations upon request of the American Red Cross and with approval of the employing agency. Leave will be granted only for services related to a disaster, designated as level III or higher by the American Red Cross

This is limited to 30 work days in a 12 month period either consecutively or nonconsecutively .

**Powers, Duties, Rights, Privileges,
and Immunities: County or City
Employees Providing Aid in Another
Jurisdiction**

KRS 39B.080

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 a county or city, who provides emergency management aid outside of their home jurisdiction, will receive the same powers, duties, rights, privileges, and immunities in the outside jurisdiction.

**Workers' Compensation: Mutual Aid
Agreement**

KRS 39A.260(4)-(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

Emergency management personnel, paid or volunteer, who are injured or killed while performing their duties, are entitled to workers' compensation from Kentucky.

This section is limited to aid pursuant to a mutual aid agreement.

**Workers' Compensation: Rescue
Squad**

KRS 39F.170

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 member of a rescue squad organization, who is injured or killed while performing their duties, is entitled to workers' compensation. This does not include when they are engaged in fundraising, performing law enforcement activities except for traffic control at an accident scene, firefighting, or hazardous material response.

**Workers' Compensation: Law
Enforcement Officer, Firefighter, or
Emergency Medical Services
Personnel**

KRS 61.315(2)

EMT, Firefighter, Law Enforcement

A law enforcement officer, firefighter, or an emergency medical services personnel, who is injured or killed while performing their duties, is entitled to workers' compensation.

**Workers' Compensation: Local
Emergency Management Personnel**

KRS 39C.110

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

Local emergency management personnel and workers, paid or volunteer, who are injured or killed while performing their duties, are entitled to workers' compensation. This does not include when they are engaged in fundraising or hazardous material response.

**Workers' Benefits: Emergency
Volunteer Leave**

KRS 337.100(1)-(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 employer cannot terminate an employee, who is an emergency volunteer, if the employee is late or absent due to their duties as an emergency volunteer. An employer can request a written statement from the supervisor of the emergency volunteer and charge any lost time against the employee.

**Workers' Benefits: Emergency
Volunteer Injury Leave**

KRS 337.100(4)-(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

An employer cannot terminate an employee, who is an emergency volunteer, if they are absent for up to 12 months due to injury that was incurred while providing their services as an emergency volunteer. An employer can request a written statement from the supervisor of the emergency volunteer and a licensed physician.

Relevant Compacts

Nurse Licensure Compact

Emergency Management Assistance Compact