

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

### Good Samaritan Law: Design Professional

ALM GL ch. 112 60Q

Volunteer / Other

When an emergency declaration is in effect, an engineer, architect, environmental professional, landscape artist, planner, land surveyor, or contractor who, voluntarily and without compensation, provides their services within the scope of their professional abilities at the request of public official will not be held legally responsible for personal injury, wrongful death, property damage, or loss caused by acts, errors, or omissions of their service.

This legal protection is limited to incidents occurring up to 90 days after a natural disaster unless extended by an executive order.

The state or locality requesting the services will not be held legally responsible for these services.

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

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### Good Samaritan Law

ALM GL ch. 112 12V

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

An individual who, in good faith and without compensation, provides, attempts to provide or fails to provide CPR, defibrillation, or emergency care will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness.

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: Immunization and Public Health Programs

ALM GL ch. 112 12C

Nurse, Physician

A physician or nurse administering immunization or another protective public health program will not be held legally responsible for any result of their conduct while carrying out their duties.

### **Liability: Providing Shelter**

ALM Spec L. ch. S31, 12A

Volunteer / Other

An individual who owns or controls real estate or other premises and, voluntarily and without compensation, allows a city or town to use the real estate for the purpose of sheltering people during an actual, impending, or mock disaster or attack will not be held legally responsible for causing the death or injury to a person on the real estate or the loss or damage to a person's property while on their real estate.

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### **Good Samaritan Law: Veterinarian**

ALM GL ch. 112 58A

Veterinarian

A registered veterinarian who, in good faith and without compensation, provides, or attempts to provide, emergency care to an animal outside their ordinary course of practice will not be held legally responsible for acting or failing to act.

A veterinarian is not responsible for hospital expenses if they hospitalize an animal who received emergency care.

This legal protection is not limited to veterinarians registered in Massachusetts.

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

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### **Improper Consent by a Minor**

ALM GL ch. 112 12F

Physician, Dentist

A physician, dentist, or health care facility that, in good faith, provides care to a minor who represent their ability to consent to medical, dental, or health services without a parent or guardian present will not be held legally responsible.

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### **Liability: Use of an AED**

ALM GL ch. 112 12V 1/2(b)

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

An individual who completes AED training and who, in good faith, uses it on someone appearing to need CPR or defibrillation will not be held legally responsible. They can be held legally responsible if acting with carelessness.

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**Liability: Physician and Nurse  
Communication with Emergency  
Medical Services**

ALM GL ch. 111c 20

Nurse, Physician, EMT

A registered physician or nurse who, in good faith, advises emergency medical services personnel by radio or other means of communication before a patient arrives at a hospital will not be held legally responsible for acting or failing to act.

An emergency medical services provider who, in good faith, acts based upon such advice will not be held legally responsible.

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**Liability: Emergency Medical Services  
Provider**

ALM GL ch 111c 21

EMT

An emergency medical service provider who, in good faith, provides emergency first aid, CPR, or other emergency services to an injured or incapacitated person will not be held legally responsible.

An emergency medical services provider is not responsible for the hospital expenses if the person who received emergency care is hospitalized.

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**Liability: Civil Defense Personnel,  
Massachusetts, and Political  
Subdivision**

ALM Spec L. ch. S31, 12

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, the Commonwealth, a political subdivision, agency, or person aiding in civil defense who, in good faith, complies with, or attempts to comply with, a rule or regulation pertaining to the declared emergency 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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**Good Samaritan Law: Search and  
Rescue**

ALM GI ch. 231 85AA

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

A registered search and rescue volunteer or a volunteer in a search and rescue who is under the command of the state law enforcement will not be held legally responsible for providing or failing to provide assistance within the search and rescue plan. They can be held legally responsible if acting with extreme carelessness or recklessness.

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

### **Good Samaritan Law: Opioid Antagonist Administration**

ALM GL ch. 112 12FF

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

An individual who, in good faith, administers or attempts to administer naloxone or another opioid antagonist to a person reasonably believed to be experiencing an opiate related overdose will not be held legally responsible. They can be held legally responsible if acting with carelessness or recklessness.

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

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### **Good Samaritan Law: Medical Professional**

ALM GL ch. 112 12B

Other medical professional, Nurse, Physician

A registered physician, physician assistant, or nurse who, in good faith and without compensation, provides or attempts to provide emergency care outside their ordinary course of practice will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness.

A physician, physician assistant, or nurse is not responsible for hospital expenses if they hospitalize a person who received emergency care.

This legal protection is not limited to physicians, physician assistants, and nurses registered in Massachusetts.

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

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### **Volunteer Licenses: Physician**

243 CMR 2.02(11)

Physician

A physician can apply for a volunteer medical license in place of a full or a retired inactive license through the Board of Registration in Medicine. A physician holding a volunteer license can only practice at work sites approved by the Board and cannot accept compensation for their practice of medicine.

A volunteer license is not required for a physician to volunteer their time.

**Volunteer Licenses: Dentist**

ALM GL ch. 112 45C

Dentist

A dentist can can apply for a volunteer dental license in place of a full or a retired inactive license through the Board. A dentist holding a volunteer license can only practice at work sites approved by the Board and cannot accept compensation for their practice of dentistry.

A volunteer license is not required for a dentist to volunteer their time.

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**Powers, Duties, Immunities and Privileges: Law Enforcement Providing Aid in Another Jurisdiction**

ALM Spec L ch. S31 11(b)

Law Enforcement

A political subdivision must authorize law enforcement aid through an ordinance, by-law or vote by an authorizing board when it is requested by another political subdivision during riots or violence. When approved, they will have the same powers, duties, immunities, and privileges as in their home jurisdiction. The requesting political subdivision will compensate for injury or death.

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**Powers, Duties, Immunities and Privileges: Firefighters and Law Enforcement Officer Providing Aid in Another Jurisdiction**

ALM Spec L ch. S31 11(c)

Firefighter, Law Enforcement

Law enforcement officer and firefighters responding to a request for aid have the same powers, immunities, duties, and privileges as in their home jurisdiction. The requesting political subdivision will compensate the responders for any injury or death.

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**Oral Prescription of Schedule II Controlled Substances**

105 CMR 701.003

Pharmacist

A pharmacist can accept an oral prescription from a practitioner during an emergency on when the immediate administration of the drug is necessary for proper treatment, there is no alternative treatment available, and it is not reasonable for a practitioner to provide a written prescription to the pharmacist.

Within 72 hours of authorizing an emergency Schedule II prescription, the prescribing practitioner must write a prescription for the dispensing pharmacist to attach to the oral prescription.

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**Workers' Compensation: Volunteer**

ALM GL ch. 152 1(4)-(5)

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

A volunteer who is injured or killed while performing their duties are entitled to Massachusetts workers' compensation.

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

ALM GL ch. 30, 9I

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 state agency, who is a certified disaster service volunteer of the American Red Cross, can be granted leave with pay to provide aid to disaster relief services upon the request of the American Red Cross and approval of the employee's supervisor.

This is limited to 15 days in a 12 month period either consecutively or nonconsecutively . Massachusetts can refuse to provide workers' compensation for an employee during this leave.

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**Powers, Duties, Immunities and Privileges: Law Enforcement Providing Aid in Another Jurisdiction**

ALM Spec L ch. S31 11(b)

Law Enforcement

A political subdivision must authorize law enforcement aid through an ordinance, by-law or vote by an authorizing board when it is requested by another political subdivision during riots or violence. When approved, they will have the same powers, duties, immunities, and privileges as in their home jurisdiction. The requesting political subdivision will compensate for injury or death.

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**Workers' Compensation: Volunteer Firefighter and Emergency Medical Services Provider**

ALM GL ch. 32 89E(a)

EMT, Firefighter, Law Enforcement

A volunteer firefighter, auxiliary or part-time law enforcement officer, or emergency medical services provider who is injured or killed during the performance of duties is entitled to workers' compensation from the city, town, or district where the incident occurs.

### **Workers' Compensation: Intrastate Mutual Aid**

ALM GL ch. 40 (h)

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

An employee or volunteer who is injured or killed while traveling to or from or providing aid pursuant to an intrastate mutual aid agreement is entitled to the same workers' compensation and employee benefits from their home government as if they were in their home jurisdiction.

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### **Powers, Duties, Immunities and Privileges: Firefighters and Law Enforcement Officer Providing Aid in Another Jurisdiction**

ALM Spec L ch. S31 11(c)

Firefighter, Law Enforcement

Law enforcement officer and firefighters responding to a request for aid have the same powers, immunities, duties, and privileges as in their home jurisdiction. The requesting political subdivision will compensate the responders for any injury or death.

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### **Relevant Compacts**

International Emergency Management Assistance Compact  
Emergency Management Assistance Compact  
Northeastern Interstate Forest Fire Protection Compact