

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

### Liability: Hazardous Substance Response

Minn. Stat. 115E.06

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 assistance in response to a discharge of a hazardous substance, 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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### Good Samaritan Law

Minn. Stat. 604A.01

Volunteer / Other, EMT, Firefighter, Law Enforcement

An individual who recognizes that another person's life is in grave danger must provide reasonable assistance or care to that person as long as such assistance does not create further risk of harm. They will not be held legally responsible for providing reasonable assistance or care, without compensation, at the scene of an emergency or en route from the scene to a medical facility. They can be held legally responsible if acting with extreme carelessness or intent to cause harm and can be found guilty of a petty misdemeanor for refusing to provide reasonable assistance or care.

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

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### Powers, Duties, Rights, Privileges, and Immunities: Emergency Response Personnel Providing Aid in Another Jurisdiction

Minn. Stat. 12.35(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 member of an emergency response team activated by the state will be considered state employees and will be entitled to the same powers, duties, rights, privileges, and immunities of state employees.

## **Specialized Emergency Response Team**

Minn. Stat. 12.351

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 Director of the Division of Homeland Security and Emergency Management can authorize the activation of a specialized emergency response team in response to an emergency or disaster. If a member is not employed by a political subdivision, they will be considered employees for the purposes of workers' compensation and legal protections.

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## **Liability: Volunteer Health Care Practitioner**

Minn. Stat. 145A.06(8)(b)

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

When an emergency declaration is in effect, an out-of-state licensed volunteer health practitioner, who is registered with an emergency registration system, is in good standing with their license, and who, in good faith, provides aid in Minnesota, 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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## **Workers' Compensation: Medical Reserve Corp**

Minn. Stat. 145A.06(f)(1)

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 the Minnesota Medical Reserve Corps, who is responding to a request for training or assistance, will be considered an employee of the state and is entitled to workers' compensation and claim defense and indemnification.

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## **Liability: Use of Opioid Antagonist**

NM Stat. Ann. 24-23-1(H)

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, dispenses, distributes, or administers an opioid antagonist to a person believed to be experiencing a drug overdose, will not be held legally responsible or professionally disciplined. They can be held legally responsible or professionally disciplined if acting with extreme carelessness or intent to cause harm.

### **Liability: Emergency Responder**

Minn. Stat. 12.61

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 Governor can issue an executive order stating that the number ill or injured exceeds the capacity of current medical care and the patients can be cared for in temporary facilities. A medical responder, who, in good faith, provides care, advice, or assistance in these facilities, 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.

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### **Liability: Hazardous Material Response**

Minn. Stat. 604A.03

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 assistance at the scene of a hazardous material response at the request of the government 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.

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### **Scope of Practice: Medical Professionals Use of Emergency Vaccines or Drugs**

Minn. Stat. 144.4197

Other medical professional, Nurse, Physician, EMT, Veterinarian, Dentist, Pharmacist

When an emergency declaration is in effect due to a public health threat, the Commissioner of Health can authorize licensed medical professionals to administer vaccines or dispense drugs. The Commissioner will put in writing the categories of professionals included, supervision requirements, and required training. The Commissioner can extend the scope of practice of medical professionals for the duration of the authorization.

A medical professional, who, in good faith, follows the authorization, will not be legally or professional responsible.

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### **Workers' Compensation: Emergency Volunteer**

Minn. Stat. 12.22(2a)

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, who volunteers to assist a political subdivision and is registered with the political subdivision, will be considered an employee and will be entitled to workers' compensation and claim defense and indemnification

**Liability: Use of Opiate Antagonist**

Minn. Stat. 604A.04

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 not a health care professional and, in good faith, administers an opiate antagonist to another person reasonably believed to be suffering an opiate overdose, will not be held legally responsible for acting or failing to act.

A health care professional who, in good faith, prescribes an opiate antagonist, individually or by standing order, will not be held legally responsible.

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**Liability: Donation of Food**

Minn. Stat. 604A.10

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 food bank or 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.

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**License Reciprocity: Professional, Mechanical, or Other Skill**

Minn. Stat. 12.42

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, a person who holds a license, certificate, or permit issued by a state, Washington D.C., or a providence of Canada can provide their services in Minnesota, when such aid is requested by the Governor. The license, certificate, or permit will have the same effect as if issued in Minnesota.

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**License Reciprocity: Psychologist**

Minn. Stat. 148.916

Mental and Behavioral Health Professional

An out-of-state psychologist, sent to this state for the purpose of providing aid during a disaster or emergency, is not required to comply with Minnesota licensing requirements. The American Red Cross, a disaster or emergency organization, or the government must certify the psychologist's assignment in the state.

An out-of-state psychologist can work in the state for up to 30 days.

### **Retired License: Psychologist**

Minn. Stat. 148.909

Mental and Behavioral Health Professional

A retired psychologist, who was licensed, certified, or registered to practice in any jurisdiction can apply to obtain a psychologist-volunteer license to provide volunteer services.

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### **License Reciprocity: Volunteer Health Practitioner**

Minn. Stat. 145A.06(8)(a)

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

When an emergency declaration is in effect, an out-of-state licensed volunteer health practitioner, who is registered with an emergency registration system, is in good standing with their license, and is requested to provide aid in Minnesota can practice in Minnesota within the scope of practice of their state

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### **Scope of Practice: Medical Professionals Use of Emergency Vaccines or Drugs**

Minn. Stat. 144.4197

Other medical professional, Nurse, Physician, EMT, Veterinarian, Dentist, Pharmacist

When an emergency declaration is in effect due to a public health threat, the Commissioner of Health can authorize licensed medical professionals to administer vaccines or dispense drugs. The Commissioner will put in writing the categories of professionals included, supervision requirements, and required training. The Commissioner can extend the scope of practice of medical professionals for the duration of the authorization.

A medical professional, who, in good faith, follows the authorization, will not be legally or professional responsible.

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### **Scope of Practice: Physician Assistant**

Minn. Stat. 147A.23

Other medical professional, Physician

When an emergency declaration is in effect, a physician assistant can provide services within their scope of practice without the need to follow physician supervision rules. They can also provide care under the supervision available.

A physician who supervises a physician assistant, while they provide emergency care, is not required to follow supervision rules.

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### **License Reciprocity: Volunteer Health Practitioner**

Minn. Stat. 145A.06(8)(a)

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

When an emergency declaration is in effect, an out-of-state licensed volunteer health practitioner, who is registered with an emergency registration system, is in good standing with their license, and is requested to provide aid in Minnesota can practice in Minnesota within the scope of practice of their state

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

Minn. Stat. 43A.185

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 the approval of the employing agency. During leave, the employee will not be considered a state employee for the purposes of workers' compensation.

This is limited to 15 work days in a 12 month period either consecutively or nonconsecutively .

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**Workers' Compensation: Emergency Volunteer**

Minn. Stat. 12.22(2a)

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, who volunteers to assist a political subdivision and is registered with the political subdivision, will be considered an employee and will be entitled to workers' compensation and claim defense and indemnification

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**Specialized Emergency Response Team**

Minn. Stat. 12.351

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 Director of the Division of Homeland Security and Emergency Management can authorize the activation of a specialized emergency response team in response to an emergency or disaster. If a member is not employed by a political subdivision, they we will be considered employees for the purposes of workers' compensation and legal protections.

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**Workers' Compensation: Medical Reserve Corp**

Minn. Stat. 145A.06(f)(1)

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 the Minnesota Medical Reserve Corps, who is responding to a request for training or assistance, will be considered an employee of the state and is entitled to workers' compensation and claim defense and indemnification.

**Workers' Compensation: Volunteer  
First Responder**

Minn. Stat. 176.011(9)(23)

EMT

A first responder, volunteering with a political subdivision, will be considered an employee and is entitled to workers' compensation.

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**Relevant Compacts**

Interstate Medical Licensure Compact

Emergency Management Assistance Compact