

## Displaying information for All Roles located in New Hampshire for All Scenarios

### Good Samaritan Law: Emergency Medical Care Provider

RSA 153-A:17(II)

Other medical professional, EMT

An emergency medical care provider, who, in good faith, provides emergency care at the scene of an emergency while en route to work, will not be professionally disciplined if they provide their employer with written verification of a local official in charge of managing the emergency scene.

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: Architect or Engineer

RSA 508:12-d

Volunteer / Other

When an emergency declaration is in effect, a licensed architect or engineer, who, in good faith, voluntarily, and without compensation, provides their professional advice or assistance at the request of a public official will not be held legally responsible for acting or for failing to act. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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### Liability: Use of Real Estate

RSA 21-P: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

An individual, who owns land and allows others to use it during an actual or threatened emergency or practice drill, will not be held legally responsible for injury, death, or damage to property. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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### Good Samaritan Law

RSA 508:12

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

An individual, who, in good faith and without compensation, provides emergency care at the scene of an emergency or while in transit in a rescue vehicle, to a person in need or to a victim of a crime 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.

### **Good Samaritan Law: Nurse**

RSA 326-B:36(I)

Nurse

A licensed nurse, who, in good faith, provides emergency care at the scene of an emergency outside their normal place of employment, will not be held legally responsible for acting or failing to act.

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: Out-of-State Emergency Services Worker**

RSA 508:12-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

When an emergency declaration is in effect, an out-of-state emergency services worker, law enforcement officer, or firefighter, who provides emergency services 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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### **Liability: Health Professional**

RSA 153-A:18

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

A health care professional, who encounters an individual in need of medical attention and who, in good faith, provides emergency medical services to the individual unable to consent, will not be held legally responsible for providing care without first obtaining consent.

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### **Liability: Failure to Respond to Request for Mutual Aid**

RSA 153-A:19(IV)

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 a member of a medical service unit and who does not respond or does not respond reasonably to a request for mutual aid, will not be held legally responsible.

**Good Samaritan Law: Physician Assistant**

RSA 328-D:14

Other medical professional

A licensed physician assistant, 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.

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: Volunteer**

RSA 508:17(I)

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 services as a registered volunteer for a nonprofit organization or a governmental entity 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: Authorized Emergency Management Worker**

RSA 21-P:41(I)

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 complies or attempts to comply with any emergency order 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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**Liability: Emergency Medical Care Provider**

RSA 508:12-a(II)

Other medical professional, Volunteer / Other, EMT

An emergency medical care provider, who, in good faith and based on orders received by remote communication, provides care within their scope of practice will not be held legally responsible for acting or for 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 Emergency Medical Services Provider, Firefighter, or Rescue Squad Member**

RSA 508:12-b

Other medical professional, Volunteer / Other, EMT, Firefighter

A volunteer, with a nonprofit fire department, emergency service, or rescue squad, will not be held legally responsible for performing their official, emergency duties. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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**Liability: Provider Using Remote Communication**

RSA 508:12-a(l)

Nurse, Physician

A physician or nurse, who, in good faith, gives advice, consultation, or orders over the phone, radio, or other remote means to emergency medical care providers en route to a health facility 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: Government Volunteer**

RSA 508:17-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 under the direction of the Department of Health and Human Services or under the Department of Safety, provides assistance in response to a declared public health or public safety incident, 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.

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**Good Samaritan Law: Physician or Surgeon**

RSA 329:25

Physician

A physician or surgeon, 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.

**Liability: Use of AED**

RSA 153-A:31

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: Retired Physician**

RSA 329:25

Physician

A retired physician who, in good faith, without compensation, and after giving notice to the Board of Medicine, provides education to the public will not be held legally responsible for giving the education.

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**Liability: Hazardous Materials Accident**

RSA 154:8-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, without compensation and at the request of a local official, provides assistance or advice related to preventing or cleaning up a hazardous materials accident, will not be held legally responsible for providing the aid or assistance. They can be held legally responsible if they caused the hazardous materials accident or they act with extreme carelessness or intent to cause harm.

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**Liability: Health Care Professional Prescribing, Dispensing, or Distributing Opioid Antagonist**

RSA 318-B:15(IV)(c)

Other medical professional, Nurse, Physician, Pharmacist

A health care professional, who, in good faith and within their scope of practice, prescribes, dispenses, or distributes an opioid antagonist to an individual at risk of experiencing an opioid-related overdose, will not be held legally responsible or professionally disciplined for prescribing, dispensing, or distributing the opioid antagonist.

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**Liability: Firefighter**

RSA 154:1-d

Firefighter

A firefighter, acting in an official capacity under the direction of a fire chief, will have the same protections from being legally responsible and entitlements as public officials in that jurisdiction.

**Liability: Nurse During Emergency**

RSA 326-B:36(III)

Nurse

When an emergency declaration is in effect, an out-of-state licensed nurse, who responds to provide emergency care, will not be held legally responsible for acting or failing to act while providing emergency care.

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**Liability: Firefighter**

RSA 109:6

Firefighter

A firefighter, fire chief, fire commissioner, or other fire officer, who provides emergency fire assistance in another municipality or state under an emergency fire assistance agreement, will not be held legally responsible for acting or failing to act.

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**Liability: Food Donation**

RSA 508:15(II)

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, donates food, 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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**Duties, Rights, Privileges, and Immunities: Firefighter Under Emergency Fire Assistance Agreement**

RSA 109.4

Firefighter

A firefighter responding to a request for emergency assistance in another jurisdiction, will have the same duties, rights, privileges, and immunities as they would have in their home jurisdiction.

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**License Reciprocity: Authorized Emergency Management Worker**

RSA 21-P:41(II)

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 authorized emergency management worker who performs a professional, mechanical, or other skill can practice the skill without complying with New Hampshire licensure requirements.

**License Reciprocity: Psychologist**

RSA 329-B:20(II)

Mental and Behavioral Health Professional

When an emergency declaration is in effect, an out-of-state licensed psychologist working with certain agencies, such as the American Red Cross or the American Psychological Association's Disaster Response Network, can practice psychology in New Hampshire for up to 60 days without complying with state licensure requirements.

**Duties, Rights, Privileges, and Immunities: Firefighter Under Emergency Fire Assistance Agreement**

RSA 109.4

Firefighter

A firefighter responding to a request for emergency assistance in another jurisdiction, will have the same duties, rights, privileges, and immunities as they would have in their home jurisdiction.

**Scope of Practice: Health Professionals During Emergency**

RSA 21-P:41(IV)

Other medical professional, Nurse, EMT, Dentist

When an emergency declaration is in effect, dentists, nurses, student nurses in training, or emergency medical care providers are considered authorized emergency management workers and can administer anesthetics, perform minor surgery or assist in surgery, perform intravenous, subcutaneous, and intramuscular procedures, and administer oral and topical medication under general supervision of a member of a New Hampshire hospital's medical staff.

**Duties, Rights, Privileges, and Immunities: Firefighter Under Emergency Fire Assistance Agreement**

RSA 109.4

Firefighter

A firefighter responding to a request for emergency assistance in another jurisdiction, will have the same duties, rights, privileges, and immunities as they would have in their home jurisdiction.

**Workers' Benefits: State Employee Wildland Fire Leave**

RSA 227-L: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 employee, who is a certified volunteer wildland firefighter and who gets leave authorization from their employer, can leave their place of employment for up to 30 working days per year to participate in wildland fire emergencies and non-wildland fire emergencies in another state under the Northeastern Interstate Forest Fire Protection Compact. They are entitled to regular pay plus overtime for their service.

This section does not apply to employees of the Department of Resources and Economic Development.

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

RSA 94:3-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

A state employee, who is a certified disaster relief service volunteer of the American Red Cross, and who both receives a request for service from the American Red Cross and gets leave authorization from their employer, can leave their place of employment for up to 15 working days per year to participate in disaster relief work. The state employee will continue to receive normal wages during the 15 days, and will not lose seniority, accumulated vacation leave, sick leave, or earned overtime. They will not, however, be entitled to state workers' compensation during the 15 days.

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## **Duties, Rights, Privileges, and Immunities: Firefighter Under Emergency Fire Assistance Agreement**

RSA 109.4

Firefighter

A firefighter responding to a request for emergency assistance in another jurisdiction, will have the same duties, rights, privileges, and immunities as they would have in their home jurisdiction.

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## **Relevant Compacts**

Interstate Medical Licensure Compact

Nurse Licensure Compact

Emergency Management Assistance Compact

Northeastern Interstate Forest Fire Protection Compact