

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

### Good Samaritan Law: Veterinarian

NY CLS Educ 6705-a

Veterinarian

A licensed veterinarian who, voluntarily and without compensation, is at an emergency without proper or necessary medical equipment will not be held legally responsible for providing or failing to provide emergency care or first aid to an animal. They can be held legally responsible if acting with extreme carelessness.

This does not provide legal protection in non-emergency situations.

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### Good Samaritan Law: Nurse

NY CLS Educ 6909(1)

Nurse

A registered nurse or licensed practical nurse who, voluntarily and without compensation, is at an emergency without proper or necessary medical equipment will not be held legally responsible for providing or failing to provide emergency care or first aid. They can be held legally responsible if acting with extreme carelessness.

This does not provide legal protection in non-emergency situations.

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### Liability: Health Officer

NY CLS Pub Health 329

Nurse, Government Public Health

A health officer, inspector, public health nurse, or other representative of a health officer who, in good faith, acts with ordinary discretion on behalf of a county, city, village, or town will not be held legally responsible for acting or failing to act. This section includes any property unjustly or illegally destroyed or injured pursuant to an order, regulation, or ordinance. This section does not remove liability from the county, city, village, or town when the suit is brought within 6 months after the damage was caused.

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### Good Samaritan Law: Dentist

NY CLS Educ 6611(6)

Dentist

A licensed dentist who, voluntarily and without compensation, is at an emergency without proper or necessary medical equipment will not be held legally responsible for providing or failing to provide emergency care or first aid. They can be held legally responsible if acting with extreme carelessness.

This does not provide legal protection in non-emergency situations.

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### **Liability: Intrastate Mutual Aid**

NY Exec 29-h (10)(b)

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

An assisting jurisdiction can be held legally responsible for its employees' extreme carelessness during the assistance.

This section is limited to the intrastate mutual aid system.

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### **Good Samaritan Law: Use of AED or Epi Pen**

NY Pub Health 3000-a(2)

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

An individual or entity that operates or makes available an AED or epi pen and who, voluntarily and without expectation of compensation, is at a medical emergency will not be held legally responsible for the use of these devices while providing emergency care. They will not be held legally responsible for the defective manufacturing of the device. An individual can be held legally responsible if acting intentionally to cause harm or with carelessness that causes harm or death to the person receiving care.

This section includes emergency medical services providers under a collaborative agreement.

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: Physician Assistant**

NY CLS Educ 6545

Other medical professional

A physician assistant who, voluntarily and without compensation, provides care at the scene of an emergency without proper or necessary medical equipment will not be held legally responsible acting or failing to act. They can be held legally responsible if acting with extreme carelessness.

This does not relieve liability when providing care in normal and ordinary situations.

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: Podiatrist**

NY CLS Educ 7006(3)

Physician

A licensed podiatrist who, voluntarily and without compensation, is at an emergency without proper or necessary medical equipment will not be held legally responsible for providing or failing to provide emergency care or first aid. They can be held legally responsible if acting with extreme carelessness.

This does not provide legal protection in non-emergency situations.

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**Good Samaritan Law: Physician**

NY CLS Educ 6527

Physician

A licensed physician who, voluntarily and without the expectation of compensation, provides care at the scene of an emergency will not be held legally responsible for acting or failing to act. This section does not apply when a physician is providing care during their normal and ordinary course of practice.

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: Physician Assistant**

NY CLS Educ 6545

Other medical professional

A licensed physician assistant who, voluntarily and without compensation, is at an emergency without proper or necessary medical equipment will not be held legally responsible for providing or failing to provide emergency care or first aid. They can be held legally responsible if acting with extreme carelessness.

This does not provide immunity in non-emergency situations.

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**Liability: Emergency Medical Services Provider**

NY CLS Pub Health 3013(1)-(4)

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

A volunteer or certified emergency medical services provider who, voluntarily and without compensation, provides emergency assistance will not be held legally responsible for resulting injuries or death. They can be held legally responsible if acting with extreme carelessness.

This section does not remove liability for the operation of a vehicle by an emergency medical services provider.

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### **Good Samaritan Law**

NY Pub Health 3000-a(1)

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

An individual who, voluntarily and without expectation of compensation, provides aid at the scene of an emergency without proper and necessary medical equipment will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with extreme carelessness.

This section does not apply to licensed physicians, dentists, nurses, physical therapists, or physician assistants acting in their normal practice.

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, Immunities and Privileges: Civil Defense Force Providing Aid in Another Jurisdiction**

NY CLS Unconsol, Ch. 131, Art. III, 32

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

A member of a civil defense force from within New York, another state, the federal government, or Canada will receive the same powers, duties, immunities, and privileges of their home jurisdiction while performing civil defense services within New York pursuant to a law, regulation, agreement, or compact requesting aid.

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### **Good Samaritan Law: Physical Therapist**

NY CLS Educ 6737

Other medical professional

A licensed physical therapist who, voluntarily and without compensation, provides care at an emergency without proper or necessary medical equipment will not be held legally responsible for providing or failing to provide emergency care or first aid. They can be held legally responsible if acting with extreme carelessness.

This does not provide legal protection in non-emergency situations.

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### **Liability: State Employee or Volunteer**

NY CLS Pub O 17

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

New York will pay judgments and settlements against a state employee or a volunteer for their actions related to a state-sponsored volunteer program. New York will not pay judgments or settlements if the person was acting with intent to cause harm, outside the scope of their duties, or if they ignored a previous court order.

Additional procedures are required for the payment to be completed.

**Liability: Direction by a Physician to  
Emergency Medical Services Provider**

NY CLS Pub Health 3013(5)

Physician, EMT

A physician who, voluntarily and without compensation, provides indirect advice or direction to an emergency medical services provider will not be held legally responsible for injuries or death caused by the advice or direction. They can be held legally responsible if acting with extreme carelessness.

**License Reciprocity: Certified EMTs  
from Bordering States**

10 NYCRR 800.14

EMT

An EMT certified in Vermont, Massachusetts, Connecticut, New Jersey, or Pennsylvania can practice in New York when transferring a patient or providing medical care pursuant to a written and authorized mutual aid agreement.

**License Reciprocity: Veterinarian  
Technician**

NY CLS Educ 6712(5)

Veterinarian

When an emergency declaration is in effect, an out-of-state licensed veterinarian technician can provide services within their scope of duties to aid in the response effort if they have received an official invitation from an organization coordinating animal and agriculture efforts in New York.

**Powers, Duties, Immunities and  
Privileges: Civil Defense Force  
Providing Aid in Another Jurisdiction**

NY CLS Unconsol, Ch. 131, Art. III, 32

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

A member of a civil defense force from within New York, another state, the federal government, or Canada will receive the same powers, duties, immunities, and privileges of their home jurisdiction while performing civil defense services within New York pursuant to a law, regulation, agreement, or compact requesting aid.

**License Reciprocity: Nurse**

NY CLS Educ 6908(e)

Nurse

When an emergency declaration is in effect, an out-of-state licensed nurse or practical nurse who is recruited by the American National Red Cross or a state civil defense organization to provide emergency services can provide services within New York without holding a New York license.

**License Reciprocity: Intrastate Mutual Aid**

NY Exec 29-h (12)

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

A person who holds a license, certificate, or permit issued by a responding entity will be considered to be licensed, certified, or permitted in the requesting jurisdiction for the duration of the emergency. Scope of practice is the same as if they were in their home jurisdiction.

This section is limited to the intrastate mutual aid system.

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**Volunteer License: Physician**

NY CLS 6527(7)

Pharmacist, Physician

A licensed physician can prescribe a non-patient specific order to a licensed pharmacist to administer immunizations. This does not authorize unlicensed pharmacists to administer immunizations.

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**Workers' Benefits: Public Officer or Employee of Municipal Corporation or School District Leave**

NY CLS Gen Mun 92-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 public officer or employee of a municipal corporation or school district, who is a certified disaster service volunteer of the American Red Cross, is entitled to leave with regular pay and without loss of seniority or benefits to participate in disaster relief operations upon request of American Red Cross.

This is limited to 20 days in a calendar year either consecutively or nonconsecutively .

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**Workers' Compensation: Volunteer Ambulance Worker**

NY CLS Amb Work Ben 6

EMT

A volunteer ambulance worker who is killed or injured in the line of duty is entitled to workers' compensation. They will not receive workers' compensation if intoxicated or intended to cause the injury or death.

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**Workers' Compensation: Off Duty Emergency Medical Services Provider**

NY CLS Work Comp 10

EMT

An on duty emergency medical services provider who, voluntarily and without compensation, provides medical assistance at an emergency and is injured is entitled to workers' compensation.

**Workers' Compensation: Intrastate Mutual Aid**

NY Exec 29-h (10)(c)

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 providing intrastate assistance is entitled to the workers' compensation. An employee is entitled to the same workers' compensation and benefits as if they were in their home jurisdiction.

This section is limited to the intrastate mutual aid system.

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

NY CLS Civ S. 82-b

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 public officer or employee of New York, who is a certified disaster service volunteer of the American Red Cross, is entitled to leave with regular pay and without loss of seniority or benefits to participate in disaster relief operations upon request of the American Red Cross.

This is limited to 20 days in a calendar year either consecutively or nonconsecutively .

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**Workers' Benefits: Public Authority Employee Volunteer Leave**

NY CLS Pub A 2850-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

A public officer or employee of public authorities, who are certified disaster service volunteers of the American Red Cross, is entitled to leave with regular pay and without loss of seniority or benefits to participate in disaster relief operations upon request of the American Red Cross.

This is limited to 20 days in a calendar year either consecutively or nonconsecutively .

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**Workers' Compensation: Civil Defense Volunteer**

NY CLS Work Comp 319

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 special fund has been established for civil defense volunteers when they are injured or killed while providing their services.

**Workers' Benefits: Firefighter Leave**

NY CLS Gen Mun 209-aa

Firefighter

A member of the New York City fire department, who is a certified disaster service volunteer of the American Red Cross, is entitled to leave with regular pay to participate in disaster relief operations.

This is limited to 100 days of leave for all participating members during a fiscal year.

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**Workers' Compensation: Volunteer Firefighter**

NY CLS Vol Fire Ben 6

Firefighter

A volunteer firemen who is injured or killed in the line of duty is entitled to workers' compensation. They will not receive workers' compensation if intoxicated or intended to cause the injury or death.

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**Workers' Compensation: Volunteer Firefighter**

NY CLS Vol Fire Ben 16

Firefighter

A volunteer firefighter injured in the line of duty is entitled to receive medical, surgical, podiatric, chiropractic, psychological, and other treatment. The political subdivision the firefighter was volunteering with is responsible for the expenses of such treatment.

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**Relevant Compacts**

Emergency Management Assistance Compact

Northeastern Interstate Forest Fire Protection Compact