

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

### Liability: Design Professional

ORC Ann. 2305.2310

Volunteer / Other

When an emergency declaration is in effect, an architect, contractor, engineer, surveyor, or tradesperson who, voluntarily and without compensation, provides their professional services 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 with intent to cause harm.

This section is limited to up to 90 days after the emergency declaration.

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### Liability: Hazardous Substance Response

ORC Ann. 3746.25

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

An individual who is considered a state employee and who inspects, investigates, removes, or remediates a hazardous substance or petroleum 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: Hazardous Substance Release

ORC Ann. 3746.24

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

An individual who is providing a voluntary service and causes a release of petroleum or any other hazardous substance from the property where voluntary service is being provided 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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### Scope of Practice: Medically Licensed Individuals Administering Drugs During an Emergency

ORC Ann. 3701.048

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

When an emergency declaration is in effect, the Ohio Director of Health can issue an order allowing a medically-licensed person to administer, deliver, or distribute drugs. They will not be held legally responsible or subject to professional disciplinary action. They can be subjected to these penalties if acting with extreme carelessness or intent to cause harm.

**Liability: Emergency Management Volunteers**

ORC Ann. 5502.30(A)

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

An emergency management volunteer who, in good faith, complies with the law or other mandates and performs emergency management services in Ohio under some type of mutual aid agreement 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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**Limited Liability for Aid or Advice in Hazardous Material Clean-Up**

ORC Ann. 2305.232

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, and the individual's employer, will not be liable in a court of law if the individual gives aid or advice before, during, or after a release of hazardous material based on the individual's special qualification to do so. The individual and his employer will be protected from liability as long as they were not responsible for the release and as long as the aid or advice was given at the request of a state official or one of the owners of the hazardous material. The individual and his employer may be liable in a court of law if either acted intentionally to cause or contribute to the release of hazardous material or if either acted with extreme carelessness in giving the aid or advice. The individual and his employer may also be liable in a court of law if they did not contact the emergency response section of the Environmental Protection Agency prior to giving the aid or advice.

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**Liability: Emergency Medical Personnel**

ORC Ann. 4765.49

Other medical professional, Volunteer / Other, Nurse, Physician, EMT

Emergency medical personnel or other employees of emergency medical services agencies who perform their official duties or who hold a valid commercial driver's license will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

A first responder or EMT in a state that borders Ohio and who provides care or transportation to a patient in Ohio will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

A health care provider who advises the first responder or EMT providing care in Ohio or who is certified to teach emergency medical training programs will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

### **Liability: Intrastate Aid Agreements**

ORC Ann. 5502.41(3)(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 emergency response individual who, in good faith, responds to an intrastate mutual aid request will not be held legally responsible for injury, death, or damage to property. A law enforcement or fire department employee who responds to an intrastate mutual aid request will not be held legally responsible while operating a motor vehicle. An emergency medical services employee who responds to an intrastate mutual aid request and who, possessing a valid commercial driver's licence, proceeds cautiously at red lights and stop signs will not be held legally responsible.

These individuals can be held legally responsible for actions committed when traveling to or from the scene or if acting with extreme carelessness or intent to cause harm.

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### **Liability: Donating Consumer Goods**

ORC Ann. 2305.37(C)

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, donates consumer goods fit for their intended use 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: Aid or Advice in Hazardous Material Clean-Up**

ORC Ann. 2305.232

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 and their employer will not be held legally responsible for providing aid or advice before, during, or after a hazardous material release when they were not responsible for the release, they contacted the Environmental Protection Agency, and they did not act with extreme carelessness or intent to cause the release.

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### **Home Jurisdiction Law Governs Personal Injury Liability**

ORC Ann. 5502.29(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 causes personal injury or property damage in Ohio is subject to the laws of their home jurisdiction when there is an interstate or intrastate agreement between Ohio and the home jurisdiction.

**Liability: Physician Using AED**

ORC Ann. 2305.235(B)

Physician

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A physician who uses an AED will not be held legally responsible. They can be held legally responsible if acting with the intent to cause harm.

**Liability: Damages Relating to Oil Spill**

ORC Ann. 2305.39

Volunteer / Other

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An individual who acts under a national contingency plan and provides care, assistance, or advice during an oil spill will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with extreme carelessness, intent to cause harm, or caused the oil spill.

**Liability: Firefighter Under Mutual Aid Agreement**

ORC Ann. 2305.233

Firefighter

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A firefighter responding to a call under any mutual fire aid agreement will not be held legally responsible for injury.

**Scope of Practice: Pharmacists and Pharmacist Interns Administering Drugs During Emergency**

ORC Ann. 3701.048

Other medical professional

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When an emergency declaration is in effect, the Ohio Director of Health can issue an order to allow a pharmacist or pharmacy intern to dispense drugs without a prescription. They will not be held legally responsible or subject to professional disciplinary action. They can be subjected to these penalties if acting with extreme carelessness or intent to cause harm.

**Good Samaritan Law**

ORC Ann. 2305.23

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

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An individual who provides emergency care at the scene of an emergency when proper medical equipment is unavailable will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with extreme carelessness or 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.

**Scope of Practice: Volunteers Administering Drugs During Emergency**

ORC Ann. 3701.048

Volunteer / Other

When an emergency declaration is in effect, the Ohio Director of Health can issue an order allowing a registered volunteer to deliver and distribute drugs. They will not be held legally responsible or subject to professional disciplinary action. They can be subjected to these penalties if acting with extreme carelessness or intent to cause harm.

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**Liability: Individual Using AED**

ORC Ann. 2305.235(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

An individual will not be held legally responsible for injury, death, or damage to property caused by an AED. An individual will not be held legally responsible for obtaining an AED, for owning an AED, supervising the installation of an AED, or for providing training regarding the use of an AED. They can be held legally responsible if acting with intent to cause injury.

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**Liability: Governmental or Proprietary Functions**

ORC Ann. 2744.03

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

An individual who is considered a state employee and who carries out a governmental function will not be held legally responsible for acting or for failing to act. They can be held legally responsible if acting outside of the scope of official responsibilities, with extreme carelessness, or intent to cause harm.

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**Liability: Volunteering with a Nonprofit Organization**

ORC Ann. 2305.38(B)

Volunteer / Other

A volunteer with a nonprofit organization 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: Providing Shelter**

ORC Ann. 5502.30(B)

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

An individual who owns a building or other property and allows the use of the building or property for shelter during training, for duty, or during an actual hazard will not be held legally responsible for injury, death, or damage to property. They can be held legally responsible if acting with intent to cause harm.

**Liability: Registered Volunteer**

ORC Ann. 5502.281(C)

Volunteer / Other

A registered volunteer who provides emergency services or participates in a training 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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**Liability: Volunteer Health Care Professional**

ORC Ann. 2305.234(B)-(F)

Other medical professional, Volunteer / Other

A volunteer health care professional acting within the scope of their medical authority will not be held legally responsible for injury or death of a poor and uninsured person or for damage to property when the patient gives consent and signs a waiver, and the volunteer health care professional informs the patient that they have some legal protections. They can be held legally responsible for injury, death, or damage to property when general anesthesia is used, when the procedure performed is not usually done in an office setting, when delivering a baby, or when purposefully performing an abortion.

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**Powers, Duties, Immunities, and Privileges: Emergency Management Workers Providing Aid in Another Jurisdiction**

ORC Ann. 5502.35

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 performing emergency management activities in Ohio has the same powers, duties, immunities, and privileges under the law as in their home state if there is an interstate agreement between Ohio and the person's home state.

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**Liability: State Employee Acting in Official Capacities**

ORC Ann. 9.86

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

An individual who is considered a state employee will not be held legally responsible for injuries or damage to property caused in the performance of the individual's official duties. They can be held legally responsible if the injuries or damage are caused by the operation of a motor vehicle. The individual can be held legally responsible if acting with extreme carelessness, intent to cause harm, or if acting outside of the scope of their official capacity.

**Powers, Duties, Immunities, and Privileges: Emergency Management Workers Providing Aid in Another Jurisdiction**

ORC Ann. 5502.35

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 performing emergency management activities in Ohio has the same powers, duties, immunities, and privileges under the law as in their home state if there is an interstate agreement between Ohio and the person's home state.

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**Volunteer License: Registered Nurse and Licensed Nurse Practitioner**

OAC Ann. 4723-7-10

Nurse

An individual who is a retired registered nurse or licensed nurse practitioner can provide nursing services to indigent persons at nonprofit shelters or health care facilities by obtaining a volunteer's certificate, which requires an application that includes the individual's educational and professional credentials, including continuing education, and expired license demonstrating that the individual maintained licensure in good standing for at least 10 years prior to retirement.

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**License Reciprocity: Nurse During a Disaster**

ORC Ann. 4723.32

Nurse

A nurse licensed outside of Ohio who is in good standing can provide nursing care during a natural or man-made disaster in Ohio.

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**Volunteer License: Retired Practitioner**

ORC Ann. 4731.295

Other medical professional, Volunteer / Other, Physician

A retired health care practitioner with a valid volunteer's certificate to practice medicine can provide non-surgical medical services only to poor and uninsured individuals. During medical emergencies, they can deliver babies and perform operations.

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**Scope of Practice: Medically Licensed Individuals Administering Drugs During an Emergency**

ORC Ann. 3701.048

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

When an emergency declaration is in effect, the Ohio Director of Health can issue an order allowing a medically-licensed person to administer, deliver, or distribute drugs. They will not be held legally responsible or subject to professional disciplinary action. They can be subjected to these penalties if acting with extreme carelessness or intent to cause harm.

**Scope of Practice: Acts Paramedic Can Perform Without Medical Command in Emergency**

ORC Ann. 4765.39

A paramedic can perform life-saving techniques without the authorization of a physician medical director when communications fail and the paramedic believes the life of the patient is in immediate danger.

EMT

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**Intrastate Mutual Aid Compact: Emergency Responders**

ORC Ann. 5502.41(G)(1)(a)

An individual responding to an intrastate mutual aid request retains the same duties and responsibilities as in their ordinary employment or volunteer capacity.

Volunteer / Other, EMT, Firefighter, Law Enforcement

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**Scope of Practice: EMT-Basic Without Medical Command in Emergencies**

ORC Ann. 4765.37

An EMT-Basic can perform certain medical services without the authorization of a physician medical director when communications fail and the EMT-Basic believes the life of the patient is in immediate danger.

EMT

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**Scope of Practice: Emergency Medical Services Providers During an Emergency**

OAC Ann. 4765-6-03

When an emergency declaration is in effect, a certified emergency medical services provider who has received the relevant training and is under physician direction can administer immunizations and drugs.

EMT

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**Scope of Practice: Volunteers Administering Drugs During Emergency**

ORC Ann. 3701.048

When an emergency declaration is in effect, the Ohio Director of Health can issue an order allowing a registered volunteer to deliver and distribute drugs. They will not be held legally responsible or subject to professional disciplinary action. They can be subjected to these penalties if acting with extreme carelessness or intent to cause harm.

Volunteer / Other

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**Scope of Practice: Physician Assistant Supervision During a Disaster**

OAC Ann. 4730-1-03(F)

When an emergency declaration is in effect, a supervising physician who oversees a physician assistant is not required to be physically present for the physician assistant to provide care. The physician assistant can be supervised by the medical director of the emergency.

Other medical professional

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**Powers, Duties, Immunities, and Privileges: Emergency Management Workers Providing Aid in Another Jurisdiction**

ORC Ann. 5502.35

An individual performing emergency management activities in Ohio has the same powers, duties, immunities, and privileges under the law as in their home state if there is an interstate agreement between Ohio and the person's home state.

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

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**Scope of Practice: EMT-Intermediate Without Medical Command in Emergency**

ORC Ann. 4765.38

An EMT-Intermediate can perform medical services (such as establish and maintain an IV, administer epinephrine, triage trauma victims, withdraw blood, and other emergency medical services) without the authorization of a physician medical director when communications fail and the EMT-Intermediate believes the life of the patient is in immediate danger.

EMT

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**Intrastate Mutual Aid Compact: Law Enforcement**

ORC Ann. 5502.41(F)(3)

A law enforcement official responding to a request for additional personnel pursuant to an interstate mutual aid request has the same authority as in their home jurisdiction.

Law Enforcement

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**Scope of Practice: Emergency Medical Service Provider**

OAC Ann. 4765-6-03

When an emergency declaration is in effect, an emergency medical services provider under physician medical direction who has received the appropriate training can perform immunizations and administer drugs (including dangerous drugs).

EMT

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**Scope of Practice: Pharmacists and Pharmacist Interns Administering Drugs During Emergency**

ORC Ann. 3701.048

Other medical professional

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When an emergency declaration is in effect, the Ohio Director of Health can issue an order to allow a pharmacist or pharmacy intern to dispense drugs without a prescription. They will not be held legally responsible or subject to professional disciplinary action. They can be subjected to these penalties if acting with extreme carelessness or intent to cause harm.

**Scope of Practice: First Responder Without Medical Command in Emergency**

ORC Ann. 4765.35

Other medical professional

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A first responder can perform certain services without prior authorization when communications fail and the first responder believes the life of the patient is in immediate danger.

**Workers? Benefits: Certified Disaster Service Volunteer**

ORC Ann. 124.132

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

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Upon request from the American Red Cross and supervisor approval, a state employee who is a certified disaster service volunteer can obtain paid leave from their place of employment for up to 30 days per year to participate in specialized disaster relief services with the American Red Cross.

**Workers' Compensation: Interstate or Intrastate Assistance**

ORC Ann. 5502.29(K)

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

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An individual providing interstate or intrastate assistance in Ohio is entitled to worker's compensation provided by both their home jurisdiction and Ohio.

**Powers, Duties, Immunities, and Privileges: Emergency Management Workers Providing Aid in Another Jurisdiction**

ORC Ann. 5502.35

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 performing emergency management activities in Ohio has the same powers, duties, immunities, and privileges under the law as in their home state if there is an interstate agreement between Ohio and the person's home state.

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**Workers' Compensation: Employees**

ORC Ann. 4123.025

EMT, Firefighter, Law Enforcement

An employee who is injured during an emergency is entitled to workers' compensation. If killed during an emergency, their dependents are entitled to workers' compensation.

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

ORC Ann. 5502.41(H)(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

An individual responding to an intrastate mutual aid request who is injured or killed is entitled to Ohio workers' compensation.

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**Relevant Compacts**

Emergency Management Assistance Compact