

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

### Liability: Volunteer License Insurance

35 P.S. 449.49

Other medical professional, Nurse, Physician, Dentist, Pharmacist, Social Worker

A health care practitioner who holds a volunteer license is not required to maintain liability insurance coverage as is required with a permanent medical license.

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### Good Samaritan Law: Public Health Emergency

35 PS 2140.302

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, provides aid regarding a public health emergency 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 their conduct falls substantially below the standards generally practiced.

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: Design Professional

42 Pa.C.S. 8332.4(a)(2)

Volunteer / Other

When an emergency declaration is in effect, a design professional who, without compensation, provides professional services will not be held legally responsible for acting or failing to act. They can be held legally responsible when their conduct falls below the generally practiced standards of the professional services for such a situation or if their conduct was because of a recognized duty to another person and they were aware of the substantial risk of harm.

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### Liability: Providing Shelter

35 PA.C.S. 7704(b)

Volunteer / Other

An individual who owns or controls real estate and, voluntarily and without compensation, allows the use of the real estate for emergency services purpose 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: Medical Professional

42 Pa. C.S.A. 8331

Other medical professional, Nurse, Physician, EMT, Dentist

A licensed medical professional who, in good faith, 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: State and Political Subdivision**

35 PaCS 7704(a)

Government Public Health

Pennsylvania, a political subdivision, or an agent, employee, or representative of Pennsylvania or a political subdivision who provides emergency services 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. This section includes an individual under contract with Pennsylvania or a political subdivision while the individual is complying, or attempting to comply, with any rule or regulation regarding emergency management services.

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**Liability: Discharge of Oil**

35 P.S. 6023.3

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

An individual who provides care, assistance, or advice pursuant to the National Contingency Plan or state Contingency plan with respect to the discharge or threatened discharge of oil will not be held legally responsible for acting or failing to act.

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**Good Samaritan Law: Veterinary Professional**

42 Pa.C.S.A 8331.1

Veterinarian

A licensed veterinary professional who, in good faith, provides emergency care to an animal at the scene of an emergency without the owner present 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.

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**Liability: Physician or Physician Assistant Training of AED**

35 P.S. 7025.5

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

An individual who obtains, provides, or attempts to provide assistance to a missing person reported through the Amber Alert System or MEPAS 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.

**Liability: Administration of Naloxone**

35 P.S. 780-113.8(f)

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

An individual, law enforcement agency, or fire department who, in good faith, administers naloxone to an individual reasonably believed to be suffering an opioid related drug overdose will not be held legally responsible for acting or failing to act. This section also prohibits professional review based on their conduct.

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**Liability: Consent by a Minor**

35 P.S. 10105

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

Consent given by a minor, who misrepresents their ability to consent to medical, dental, or health services without a guardian or parent, is considered effective when the medical professional or other person relied on it in good faith.

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**Liability: Volunteer**

42 Pa.C.S.A. 8332.4(a)(1)

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

An individual who, without compensation, provides public service to a nonprofit organization or to a government agency will not be held legally responsible for acting or failing to act. They can be held legally responsible when their conduct falls below the generally practiced standards for such a situation or if their conduct was related to a recognized duty to another person and were aware of the substantial risk of harm.

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**Good Samaritan Law: Use of AED**

42 Pa.C.S.A 8331.2

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, acquires, maintains or uses an AED during 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, or they interfere with emergency medical services personnel or a health care professional.

An individual who acquires and maintains an AED must have anticipated users complete training per national standards, maintain and test the AED according to manufacturer's standards, instruct users to immediately contact emergency medical services, and give appropriate information to emergency medical services personnel as requested.

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

**Liability: Providing Aid to Crime Victim**

42 Pa.C.S.A 8331.3

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

An individual who obtains or provides assistance, or attempts to do so, to a crime victim 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: Intrastate Mutual Aid**

35 Pa.C.S.A. 7339

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, provides intrastate assistance will not be held legally responsible for injury, death, or property damage. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

This section is limited to the intrastate mutual aid system.

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**Unnecessary Minor Consent**

35 P.S. 10104

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

Medical, dental, or health services can be provided to a minor without parental or legal guardian consent when, in the provider's judgment, an attempt to obtain consent would result in an increased risk to the minor's health.

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**Liability: Mass Immunization Project**

42 Pa.C.S.A. 8334

Nurse, Physician

A licensed physician or nurse who, without compensation, administers drugs or vaccination at a mass immunization project will not be held legally responsible for acting or failin to act. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Mass immunization projects must be approved by the Department of Health.

This section does not give legal protections to drug manufacturers.

**Liability: Volunteer Firefighter**

42 Pa.C.S.A. 8332.3

Firefighter

Volunteer firefighters, if acting within the scope of their duties, will not be held legally responsible for acting or failing to act.

Volunteer firefighters are considered public employees for purposes of state legal protections.

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**Good Samaritan Law: Emergency Medical Services Providers and Bystander**

42 Pa.C.S.A. 8332

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

An individual or emergency medical services provider, regardless of medical training, who provides emergency care, first aid, rescue, or moves a person receiving such care at the scene of an emergency or crime will not be held legally responsible for acting or failing to act. They can be held legally responding if acting with extreme carelessness or intent to cause harm.

This section does not relieve an ambulance or other emergency medical services vehicle driver from liability caused by the operation or use of such vehicles.

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: Hazardous Material Response**

35 P.S. 6022.301

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

An agency, hazardous material personnel, state or local official or employee, law enforcement officer, ambulance service or rescue squad member, or other emergency response personnel engaged in emergency service or response activity involving hazardous material 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: Prescription of Naloxone by Licensed Health Care Professional**

35 P.S. 780-113.8(e)

Other medical professional, Nurse, Physician, Dentist, Pharmacist

A licensed health care professional who prescribes or dispenses naloxone will not be held legally responsible for outcomes resulting from the administration of naloxone. They can be held legally responsible for acting with extreme carelessness or intent to cause harm.

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**License Reciprocity: Intrastate Mutual Aid**

35 Pa.C.S.A. 7336

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

An individual who has a license, certificate, or permit for professional, mechanical, or other skills issued by Pennsylvania or by a responding entity is considered to be licensed, certified, or permitted in the requesting jurisdiction for the duration of the emergency. The chief executive of the requesting entity can add limitations or conditions to the license, certificate, or permit.

This section is limited to the intrastate mutual aid system.

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**Volunteer License: Dentist**

63 P.S. 123.2

Dentist

A temporary dental license can be issued when a person holds a license to practice dentistry, provides proof that they will not receive monetary compensation for the practice of dentistry, is current on continuing education, possesses professional liability insurance, and is not currently under a disciplinary investigation.

A qualified individual can obtain one 30 day volunteer license or three 10 day volunteer licenses per year. This is intended for scheduled volunteer opportunities.

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**Scope of Practice: Minor Volunteer between the Age of 14-18**

43 P.S. 40.7(a)

Minor/Student

An emergency service volunteer, who is at least 14 but younger than 18, can participate in all training and activities except:

- (1) Operating a truck, ambulance, or other official fire vehicle
- (2) Operating an aerial ladder, aerial platform, or hydraulic jack
- (3) Using rubber electrical gloves, insulated wire gloves, insulated wire cutters, life nets, or acetylene cutting units
- (4) Operating the pump of a fire vehicle at the scene of a fire
- (5) Entering a burning structure under any circumstance including during a training
- (6) Engage in firefighting activities, unless they are at least 16, have completed all relevant training, and are under direct supervision of the fire chief

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**Scope of Practice: Minor Volunteer Curfew**

43 P.S. 40.7(d)(3)

Minor/Student

An emergency service volunteer who is 14 or 15 years old, is a member of a volunteer fire company, and has written consent from a parent or guardian can participate in training or activities until 10:00 pm the night before a school day.

**Scope of Practice: Minor Volunteer between the Age of 13-16**

43 P.S. 40.7(b)

Minor/Student

An emergency service volunteer, who is at least 13 but younger than 16, can only participate in training, first aid, clean up, and serving food and beverages at the scene of a fire after the fire is declared to be under control. They cannot participate in operating high pressure hose lines or ascending ladders unless it takes place during training.

**Workers' Compensation: Volunteer Emergency Medical Services Personnel**

77 P.S. 1032

EMT, Firefighter, Law Enforcement

When a municipality or an area of a municipality receives emergency medical services from another municipality following a contract or agreement, the workers' compensation premiums will be split between the municipalities. The percentages will be determined by the municipalities.

**Workers' Compensation: Intrastate Mutual Aid**

35 Pa.C.S.A. 7338

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.

**Workers' Compensation: Civil Defense Volunteer**

4 Pa. Code 115.2

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

Civil defense volunteers enrolled with the State Council of Civil Defense who are injured during an authorized civil defense and disaster training activity are entitled to workers' compensation. Training activities are only authorized when ordered by the State Council of Civil Defense.

**Workers' Compensation: Volunteer Emergency Medical Services Personnel**

77 P.S. 1031

Other medical professional, Volunteer / Other, EMT, Firefighter, Law Enforcement

A volunteer firefighter, ambulance corp, rescue and lifesaving squad, forest firefighter, or hazardous material response team who is performing their volunteer duties, going to or returning from their volunteer duties, participating in drills or instruction for their volunteer duties, or repairing or doing work for their volunteer department as authorized by the municipality and is injured or killed is entitled to workers' compensation.

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

35 Pa.C.S. 7706

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

An emergency management volunteer is entitled to workers' compensation for injuries or death related to injuries sustained while actually engaging in emergency management activities and services, including when in or en route to activities or services.

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## **Relevant Compacts**

Interstate Civil Defense and Disaster Compact  
Emergency Management Assistance Compact