

Displaying information for All Roles located in Texas for All Scenarios

Liability: Administering Opioid Antagonist

Tex. Health & Safety Code 483.106(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, administers an opioid antagonist to a person believed to be suffering from an opioid-related drug overdose will not be held legally responsible or professionally disciplined for acting or failing to act.

Good Samaritan Law

Tex. Civ. Prac. & Rem. Code 74.151

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 volunteer first responder who, in good faith and without compensation, provides emergency care or uses an AED will not be held legally responsible for acting or for failing to act. They will be held legally responsible if acting with extreme carelessness, intent to cause harm, or carelessly caused the emergency.

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

Liability: Disaster Training Exercise

Tex. Civ. Prac. & Rem. Code 79.004

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 participates in training exercises that prepare the individual to provide care, assistance, or advice during a disaster 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: Public Servants

Tex. Civ. Prac. & Rem. Code 108.002(a)

Volunteer / Other, Government Public Health

A public servant acting in the scope of their official duties will not be held legally responsible for injury, death, or depriving another of their rights.

**Liability: Health Care Provider
Providing Information for
Immunization Registry**

Tex. Health & Safety Code 161.0105

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

A health care provider who, in preparation for a potential or declared disaster, public health emergency, or other emergency situation, administers an immunization, keeps record of the immunization in a medical record, provides the record when requested, and follows other guidelines established by the Department of State Health Services will not be held legally responsible.

Liability: Donated Food

Tex. Civ. Prac. & Rem. Code 76.004(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 donates food, which appears edible and in good condition at the time of donation to a church or nonprofit organization, will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Liability: Collection of Food for Needy

Tex. Civ. Prac. & Rem. Code 76.004(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

An individual who allows others to collect from the individual's fields for distribution to the needy will not be held legally responsible for any injury or death to the people collecting from the property. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

**Liability: Ordering or Administering
Required Immunization**

Tex. Health & Safety Code 161.001

Other medical professional, Nurse, Physician, EMT,
Pharmacist

An individual who administers or authorizes the administration of a vaccine that is required either by law or mandated by the Department of State Health Services will not be held legally responsible for any injury caused by giving the vaccine. The individual also will not be held legally responsible for failure to give a vaccine to a child when the parent or guardian does not consent. They can be held legally responsible if acting with carelessness while administering the vaccine.

Liability: Donated Medical Device

Tex. Civ. Prac. & Rem. Code 89.002

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 legally allowed to donate a device and, in good faith, does donate the device to a nonprofit organization will not be held legally responsible. The individual can be held legally responsible if they knew or purposely ignored the fact that the donated device could cause harm.

Liability: Prescribing, Training, Acquiring AED

Tex. Health & Safety Code 779.006

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 physician who prescribes the use of an AED or an individual who either provides training related to AED use or acquires an AED will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Good Samaritan Law: Unlicensed Medical Personnel

Tex. Civ. Prac. & Rem. Code 74.152

Volunteer / Other, EMT, Government Public Health, Firefighter, Law Enforcement

An individual who is not a licensed or certified health care provider and who, in good faith, provides emergency care as an emergency medical service member will not be held legally responsible. 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: Pharmacist Dispensing Opioid Antagonist

Tex. Health & Safety Code 103.106(c)

Pharmacist

A pharmacist who, in good faith, dispenses an opioid antagonist based on a valid prescription will not be held legally responsible or professionally disciplined for acting or failing to act.

Liability: Charitable Volunteer

Tex. Civ. Prac. & Rem. Code 84.004(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 provides volunteer services, within the scope of the individual's duties for a charitable organization, 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.

The individual can be held legally responsible if injury, death, or damage to property is caused by the individual's operation of a motor vehicle.

Liability: Volunteer Health Care Provider

Tex. Civ. Prac. & Rem. Code 84.004(c)

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

A volunteer health care provider who works for a charitable organization and treats patients within the volunteer health care provider's scope of practice will not be held legally responsible. The volunteer health care provider must have the patient or other authorized individual sign a consent form acknowledging that the volunteer health care provider's free services come with added protection from being held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

The volunteer health care provider can be held legally responsible if injury, death, or damage to property is caused by the volunteer health care provider's operation of a motor vehicle.

Liability: Participating in Fire Fighting Training Exercises

Tex. Civ. Prac. & Rem. Code 78.151

Volunteer / Other, EMT, Firefighter, Law Enforcement

An individual who participates in fire fighting training exercises will not be held legally responsible.

Liability: Complying with Advance Directive

Tex. Health & Safety Code 166.045

Other medical professional, Nurse, Physician

A health care professional who does not know about a patient's advance directive will not be held legally responsible for not complying with the advance directive when providing treatment. A health care professional who refuses to comply with an advance directive will not be held legally responsible or professionally disciplined if they submit that decision to an ethics committee and they arrange for a transfer of the patient to another provider or facility upon request.

Liability: Emergency Response Team Member

Tex. Health & Safety Code 784.004

Other medical professional, Volunteer / Other, Social Worker, Mental and Behavioral Health Professional

An emergency response team member who provides critical incident stress management services or crisis response services will not be held legally responsible for their performance of services or the performance of services by their fellow team members. The emergency response team member can be held legally responsible for acting with extreme carelessness or with intent to cause harm.

Liability: Firefighter Under Contract with Government

Tex. Civ. Prac. & Rem. Code 78.054

Firefighter

A firefighter who responds to a marine fire emergency under a contract with a governmental agency will have the same protections from being held legally responsible that employees of the contracting governmental agency enjoy.

Liability: Volunteer Firefighter

Tex. Civ. Prac. & Rem. Code 78.104

Firefighter

A volunteer firefighter who provides emergency services as a member of a volunteer fire department, has the same protections from being held legally responsible as a professional, full-time firefighter providing similar services in the same county.

Good Samaritan Law: Veterinarian Providing Emergency Care

Tex. Occ. Code 801.358

Veterinarian

A veterinarian who provides emergency treatment to an ill or injured animal, either voluntarily or at the request of someone who is not the animal's owner, will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness.

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

Good Samaritan Law: Providing Care to Animals

Tex. Civ. Prac. & Rem. Code 92.002

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 medical care to an animal either in an emergency or because the animal is abandoned, will not be held legally responsible for acting or for failing to act. They can be held legally responsible if acting with extreme carelessness. The individual must also make reasonable attempts to contact an animal control agency, the animal's owner, or must consult with a veterinarian.

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

Liability: Disaster Assistance

Tex. Civ. Prac. & Rem. Code 79.002

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, provides care, assistance, or advice relating to the storage or transportation of hazardous material during a discharge of hazardous material will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Liability: Determination of Death

Tex. Health & Safety Code 671.002

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 physician, registered nurse, or physician assistant who pronounces a person dead by determining the cessation of lung, heart, or brain function will not be held legally responsible for subsequent actions taken based on the determination of death. An individual who, in good faith, acts in reliance on the determination of death will not be held legally responsible.

Scope of Practice: Physician Assistant Practicing During Disaster

Tex. Occ. Code 204.2045

Other medical professional

When an emergency declaration is in effect, a physician assistant from any state can perform certain tasks without a Texas license and without the supervision of a physician, if a physician is not available. A physician assistant who, in good faith and without compensation, provides such care in a disaster situation will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Liability: Disaster Assistance

Tex. Civ. Prac. & Rem. Code 79.003

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 an official, provides care, assistance, or advice during a disaster 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: Supervision of Emergency Medical Services Personnel

Tex. Health & Safety Code 773.009

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 supervises, finances, or supports the functions of emergency medical services personnel will not be held legally responsible for the training of the emergency medical services personnel or for the treatment provided to patients by emergency medical services personnel.

Liability: Volunteer Firefighter

Tex. Civ. Prac. & Rem. Code 78.001

Firefighter

A volunteer firefighter will not be held legally responsible for damage to property that results from the necessary actions while fighting a fire.

Liability: Architect or Engineer

Tex. Civ. Prac. & Rem. Code 150.003

Volunteer / Other

When an emergency declaration is in effect, a professional architect or engineer who, upon request from a public official and without compensation, provides their 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 intent to cause harm.

License Exemption: Emergency Medical Services Rural Practice

Tex. Health & Safety Code 773.0045

EMT

An emergency medical services provider who primarily practices in a rural area can be exempted from certain licensure provisions by the Department of State Health Services if requiring the specific provision would negatively affect the health or safety of the communities served by the rural emergency medical services provider.

License Reciprocity During Disaster

Tex. Gov't Code 418.171

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 holds a license, certification, or permit to practice a professional, mechanical, or other skill in any state can provide aid relevant to that skill.

License Requirements Waived

Tex. Occ. Code 51.4041(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

An individual holding a license in another state where the requirements for licensure are similar to those in Texas can be issued a license to practice in Texas without complying with other state licensure requirements. An individual can also be issued a license without complying with other state licensure requirements if their home state has a reciprocity agreement with Texas.

License Reciprocity: Declared State of Disaster

Tex. Occ. Code 51.408

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 meets the criteria and eligibility requirements for a license can be granted an emergency license to practice during the period of the disaster and during the recovery period following the end of the disaster declaration. Unless extended by the executive director of the Department of Licensing and Regulation, the emergency license expires 90 days after issue.

Scope of Practice: Physician Assistant Practicing During Disaster

Tex. Occ. Code 204.2045

Other medical professional

When an emergency declaration is in effect, a physician assistant from any state can perform certain tasks without a Texas license and without the supervision of a physician, if a physician is not available. A physician assistant who, in good faith and without compensation, provides such care in a disaster situation will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

License Exemption: Emergency Medical Services Rural Practice

Tex. Health & Safety Code 773.0045

EMT

An emergency medical services provider who primarily practices in a rural area can be exempted from certain licensure provisions by the Department of State Health Services if requiring the specific provision would negatively affect the health or safety of the communities served by the rural emergency medical services provider.

Emergency Medical Services Personnel Administration of an Opioid Antagonist

Tex. Health & Safety Code 483.106(b)

EMT

Emergency services personnel can administer an opioid antagonist to a person believed to be suffering from an opioid-related drug overdose.

Scope of Practice: Physician Assistant Practicing During Disaster

Tex. Occ. Code 204.2045

Other medical professional

When an emergency declaration is in effect, a physician assistant from any state can perform certain tasks without a Texas license and without the supervision of a physician, if a physician is not available. A physician assistant who, in good faith and without compensation, provides such care in a disaster situation will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Workers? Compensation: Disaster Volunteer

Tex. Lab. Code 501.026(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

An individual who performs volunteer disaster services, during a disaster training or an actual disaster, is entitled to Texas workers? compensation.

Relevant Compacts

Nurse Licensure Compact

Emergency Management Assistance Compact