

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

### Liability: Regional Structural Collapse Team

Wis. Stat. 895.483(4)

Volunteer / Other, Firefighter

An individual, who is trained as a rescue technician professional, and the regional structural collapse team to which the individual belongs will not be held legally responsible for acting or for failing to act under contract during an emergency response to a structural collapse incident in Wisconsin.

### Liability: Regional Emergency Response Team

Wis. Stat. 895.483(1)

Volunteer / Other

An individual, who is trained as a hazardous materials specialist, and the regional emergency response team to which the individual belongs will not be held legally responsible for acting or for failing to act under contract during emergency level A releases in Wisconsin.

### Liability: Oil Clean Up

Wis. Stat. 895.55

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

An individual who provides assistance, advice, or care as part of a national or state contingency plan and during a threatened or actual oil discharge into navigable waters in Wisconsin 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. An individual who provides assistance, advice, or care during a threatened or actual oil discharge can be held legally responsible if the individual was responsible for the spill or if the individual causes personal injury or wrongful death.

### Liability: Operating Commercial Vehicle During Disaster

Wis. Adm. Code Trans 327.09(6)(a)

Volunteer / Other

When an emergency declaration is in effect, a driver of a commercial motor vehicle can transport property or passengers and will not be guilty of violating federal regulations governing hours of service and general carrier-driver qualifications.

### Good Samaritan Law

Wis. Stat. 895.48

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

Any individual who, in good faith, provides or fails to provide emergency care at the scene of an emergency will not be held legally responsible, unless that individual is a health care professional acting in the individual's usual employment capacity at a health care facility or while en route to a health care facility.

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

### **Good Samaritan Law: Duty to Report Crime**

Wis. Stat. 940.34

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

An individual who knows that a crime is being committed, which exposes another person to physical harm, must call law enforcement or provide other assistance to the person, as long as doing so would not endanger the individual. They will not be held legally responsible if contacting law enforcement or providing assistance without compensation, but they will be found guilty of a crime if they fail to contact law enforcement or provide assistance.

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 Practitioner**

Wis. Stat. 257.03

Volunteer / Other

An appropriately licensed individual who is registered at a hospital where services are being provided, who is in the Wisconsin volunteer registry, and who provides services without compensation on behalf of a health care facility, mass clinic, or at the request of the local health department will not be held legally responsible. but the individual can be held legally responsible for medical malpractice. If the individual acted within the scope of practice and is held legally responsible personally, the state or local government will pay the cost of the court judgment.

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### **Liability: Entering a Vehicle to Provide Assistance**

Wis. Stat. 895.484

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

An individual who believes, in good faith, that a person or pet animal is in danger and forcibly enters a vehicle to prevent harm will not be held legally responsible for damage to the vehicle or injury to the person or animal if: the individual determined that forcible entry was required, contacted emergency service personnel before entering, did not use more force than necessary, and the individual remained with the person or pet animal until emergency service personnel arrived or the individual otherwise left written notice for the vehicle owner regarding the forcible entry.

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### **Liability: AED Use**

Wis. Stat. 895.48

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

Any individual (including the owner, provider, or trainer) who, in good faith, provides or fails to provide emergency care by use of an AED will not be held legally responsible, unless the individual acted with extreme carelessness or the individual is a health care professional acting in the individual's usual employment capacity at a health care facility or while en route to a health care facility.

**Liability: Local Emergency Response Team**

Wis. Stat. 895.483(2)

Volunteer / Other

An individual, who is trained as a hazardous materials specialist, and the local emergency response team to which the individual belongs will not be held legally responsible for acting or for failing to act under contract during emergency level B releases in Wisconsin.

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**Liability: Emergency Use of Vehicles Allowed**

Wis. Stat. 323.20

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

When an emergency declaration is in effect and following a request for aid, an individual who operates any boat or motor vehicle in the state, even if the vehicle is not registered in Wisconsin, will not be held legally responsible.

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**Liability: Providing Shelter**

Wis. Stat. 323.44

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

An individual who permits the state to use the individual's real property during a training activity, actual disaster, or threatened disaster without compensation will not be held legally responsible for injury or death that occurs on the premises as long as the individual made known any hidden dangers or safety hazards of which the individual was aware.

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**Liability: Opioid Antagonist Administration**

Wis. Stat. 441.18(3)

Nurse

An advanced practice nurse who, in good faith, prescribes, dispenses, or delivers an opioid antagonist to prevent opioid overdose will not be held legally responsible or professionally disciplined.

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**Liability: Provider of Equipment**

Wis. Stat. 323.45

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

When an emergency declaration is in effect, an individual who provides equipment, materials, facilities, labor, or services at the direction of the Governor, emergency management services, or local governing entity 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.

**Liability: Emergency Household Products Donation or Distribution**

Wis. Stat. 895.51(2m)

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

When an emergency declaration is in effect, an individual who manufactures, distributes, or sells certain emergency household products, with or without compensation, to a charitable organization or governmental unit will not be held legally responsible for death or injury caused by the products.

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**Liability: Providing Assistance or Advice During Hazardous Material Discharge**

Wis. Stat. 895.4802

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 and without compensation, provides assistance or advice regarding the mitigation, prevention, or cleanup of a discharge of hazardous material will not be held legally responsible, unless that individual acted with extreme carelessness, with intention to cause harm, or was responsible for the discharge.

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**Liability: Catholic Church Volunteer**

Wis. Stat. 187.33

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 uncompensated volunteer with the Roman Catholic Church will not be held legally responsible for acting or failing to act on behalf of the Church. They can be held legally responsible if acting with extreme carelessness or intent to cause harm. They can also be held legally responsible if committing a crime, if the individual is a director or officer of the Church and failed to act appropriately, if the individual causes injury, death, or damage to property while operating a vehicle, or if the individual has a license to perform a professional service, but does not perform the professional service adequately or at all.

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**Liability: Reporting of Communicable Disease**

Wis. Stat. 252.05

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

Any individual who has knowledge of or reason to believe that another individual has a communicable disease must report that to a local health officer or local health department; if an individual fails to report, that individual can be charged with a crime.

**License Reciprocity: Emergency Medical Services Provider**

Wis. Stat. 256.15(b)

An out-of-state first responder who is certified in another state can provide emergency medical care to 10 or fewer patients per year in Wisconsin without needing a first responder certificate issued by Wisconsin.

EMT

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**License Reciprocity: Emergency Medical Technician**

Wis. Stat. 256.15(7)

An emergency medical technician, currently licensed in another state that has similar requirements for licensing to Wisconsin, can be issued a license at the discretion of the Wisconsin Department of Health Services.

EMT

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**License Reciprocity: Emergency Medical Services Provider Responding to Mutual Aid Request**

Wis. Stat. 256.15(c)

If an individual holds a valid out-of-state license, permit, or certificate that allows the individual to provide medical care as a first responder or emergency medical technician in that state and is providing care in response to a request in Wisconsin for interstate mutual aid, the individual does not need a Wisconsin-issued license, permit, or certificate.

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**Scope of Practice: Local Health Officer**

Wis. Stat. 252.03

A local health officer can forbid public gatherings when necessary to control outbreaks or epidemics. A local health officer can also take all necessary measures to prevent, suppress, and control communicable diseases and must report on actions taken.

Government Public Health

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**Isolation and Quarantine Powers of Local Health Officer**

Wis. Stat. 252.06

Government Public Health

As a general rule, a local health officer can require the isolation of an individual or a quarantine of the people with whom the individual came into contact. If a local health officer suspects the presence of a communicable disease, the local health officer must have investigations and exams conducted such as compelling diagnostic reports from physicians regarding sick patients. If it is highly likely that an individual is infected or the individual's positive diagnosis has been medically confirmed, the local health officer must quarantine or isolate the individual or institute other necessary restrictions, including the appointment of quarantine guards. In the case that the infected individual is in jail, the local health officer will submit a written order that the institution must send the prisoner to a safe and secure place until recovered. If there is potential doubt concerning the diagnosis, the local health officer must consult with a physician. A local health officer can also name individuals who are permitted to have direct contact with an infected individual.

**Scope of Practice: Law Enforcement Officer**

Wis. Stat. 323.16

Law Enforcement

When an emergency declaration is in effect, a law enforcement officer can perform the same law enforcement functions that they perform in their home jurisdiction anywhere in the state. These functions include traffic control, escort duty, or protective service in a legal manner.

**Workers? Compensation: Government Employee and Volunteer**

Wis. Stat. 323.40

Volunteer / Other

When an emergency declaration is in effect, a local government employee or a volunteer who, without compensation, registers with a local government's emergency management program to assist is considered an employee of the local government for the purposes of workers' compensation.

**Workers? Compensation: Regional Emergency Response Team**

Wis. Stat. 323.70(5)

Volunteer / Other

A member of a regional emergency response team is entitled to Wisconsin state employee workers' compensation.

**Workers? Compensation: Regional Emergency Response Team**

Wis. Stat. 370(5)

Volunteer / Other

A member of a regional emergency response team is entitled to state employee workers' compensation benefits.

**Workers? Compensation: Volunteer Practitioner**

Wis. Stat. 257.03

Volunteer / Other

A licensed individual who is registered at the hospital where services are being provided, is in the Wisconsin volunteer registry, and who provides services without compensation on behalf of a health care facility, mass clinic, or at the request of the local health department, is entitled to the same workers' compensation benefits enjoyed by employees of the state of Wisconsin.

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**Workers? Compensation: Regional Structural Collapse Team**

Wis. Stat. 323.72(4)

Volunteer / Other, Firefighter

A member of a regional structural collapse team is entitled to Wisconsin state employee workers' compensation.

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**Workers? Benefits: Leave for Disaster Relief Services**

Wis. Stat. 230.35(1m)(f)

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

A public employee who obtains approved leave to participate in specialized disaster relief services will not lose their eligibility for annual leave of absence without loss of pay.

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**Workers? Compensation: Regional Structural Collapse Team**

Wis. Stat. 372(4)

Volunteer / Other, Firefighter

A member of a regional structural collapse team is entitled to state employee workers' compensation benefits.

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**Relevant Compacts**

- Interstate Medical Licensure Compact
- Nurse Licensure Compact
- Emergency Management Assistance Compact