

Liability: Volunteer Health Practitioner

ACA 12-87-111(a)-(b)

A volunteer health practitioner who provides health or veterinary services will not be held legally responsible for providing these services. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Limitations on civil liability for volunteer health practitioners

(a) Subject to subsection (b), a volunteer health practitioner who receives compensation of five hundred dollars (\$500) or less per year for providing health or veterinary services pursuant to this chapter is not liable for damages for an act or omission of the practitioner in providing those services. Reimbursement of, or allowance for, reasonable expenses, or continuation of salary or other remuneration while on leave, is not compensation under this subsection.

(b) This section does not limit the liability of a volunteer health practitioner for:

- (1) willful misconduct or wanton, grossly negligent, reckless, or criminal conduct;
- (2) an intentional tort;
- (3) breach of contract;
- (4) a claim asserted by a host entity or by an entity located in this or another state which employs or uses the services of the practitioner; or
- (5) an act or omission relating to the operation of a motor vehicle, vessel, aircraft, or other vehicle.

(c) A person that, pursuant to this chapter, operates, uses, or relies upon information provided by a volunteer health practitioner registration system is not liable for damages for an act or omission relating to that operation, use, or reliance unless the act or omission is an intentional tort or is willful misconduct or wanton, grossly negligent, reckless, or criminal conduct.