

Liability: Physician, Physician Assistant, and Nurse

Utah Code Ann. 26-8a-601

A licensed physician, physician's assistant, or licensed registered nurse who, in good faith and without compensation, gives instructions to a person using an AED, a person performing CPR, or emergency medical service personnel will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Persons and activities exempt from civil liability

(1)

(a) Except as provided in Subsection (1)(b), a licensed physician, physician's assistant, or licensed registered nurse who, gratuitously and in good faith, gives oral or written instructions to any of the following is not liable for any civil damages as a result of issuing the instructions:

- (i) an individual certified under Section 26-8a-302;
- (ii) a person who uses a fully automated external defibrillator, as defined in Section 26-8b-102; or
- (iii) a person who administers CPR, as defined in Section 26-8b-102.

(b) The liability protection described in Subsection (1)(a) does not apply if the instructions given were the result of gross negligence or willful misconduct.