

Liability: Volunteer Health Care Provider

OCGA 51-1-29.1

A health care provider who, voluntarily and without compensation, provides professional services within the scope of their license at the request of a hospital, public school, nonprofit organization, a political subdivision, or an agency of the state 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 of voluntary health care provider and sponsoring organization

(a) Without waiving or affecting and cumulative of any existing immunity from any source, unless it is established that injuries or death were caused by gross negligence or willful or wanton misconduct:

(1) No health care provider licensed under Chapter 9, 11, 26, 30, 33, or 34 of Title 43 who voluntarily and without the expectation or receipt of compensation provides professional services, within the scope of such health care provider's licensure, for and at the request of a hospital, public school, nonprofit organization, or an agency of the state or one of its political subdivisions or provides such professional services to a person at the request of such an organization, which organization does not expect or receive compensation with respect to such services from the recipient of such services; or

(2) No licensed hospital, public school, or nonprofit organization which requests, sponsors, or participates in the providing of the services under the circumstances provided in paragraph (1) of this subsection shall be liable for damages or injuries alleged to have been sustained by the person nor for damages for the injury or death of the person when the injuries or death are alleged to have occurred by reason of an act or omission in the rendering of such services.

(b) Nothing in this Code section shall be construed to change the scope of practice of any health care provider

granted immunity in this Code section.

(c) This Code section shall apply only to causes of action arising on or after July 1, 1987.