

Liability: Volunteer Health Care Provider

S.C. Code Ann. 38-79-30

A volunteer health care provider who, voluntarily and without compensation, provides medical 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. If the situation is not an emergency, the volunteer health care provider must inform the patient they are providing the medical services for free before initiating care.

Volunteer health care provider not liable for civil damages; exception

No licensed health care provider, as defined in Section 38-79-410, who renders medical services voluntarily and without compensation or the expectation or promise of compensation and seeks no reimbursement from charitable and governmental sources is liable for any civil damages for any act or omission resulting from the rendering of the services unless the act or omission was the result of the licensed health care provider's gross negligence or wilful misconduct. The agreement to provide a voluntary, noncompensated service must be made before rendering service in the case of a nonemergency and may be evidenced by the provider's giving notice to the patient or to the person responsible for the patient's care and acting for the patient that the service being rendered is voluntary and without compensation.