

Liability: Volunteer Emergency Medical Disaster Response Personnel

HRS 321-23.3(d)

Volunteer emergency medical disaster response personnel who provide emergency services during a mass casualty event or disaster will not be held legally responsible for acting or failing to act. They can be held legally responsible if acting with intent to cause harm.

Volunteer emergency medical disaster response personnel

(d) Except in cases of wilful misconduct, the State, any county, or any volunteer emergency medical disaster response personnel engaged in the emergency response to a mass casualty event or disaster condition pursuant to this section (including volunteers whose services are accepted by any authorized person), shall not be liable for the death of or injury to persons, or for damage to property, as a result of any act or omission in the course of rendering professional medical care under a mass casualty event or disaster condition. No act or omission shall be imputed to the owner of any vehicle by reason of ownership thereof; provided that nothing in this section shall preclude recovery by any person for injury or damage sustained from the operation of any vehicle that may be insured under section 41D-8 to the extent of the insurance. Unless specifically provided, insurance effected under section 41D-8 shall not include coverage of such risk during a disaster emergency period.