

# Liability: Health Care Services Related to a Declared Disaster Emergency

## Burns Ind. Code Ann. 34-30-13.5-1

An individual licensed to provide health care services, who provides services within their scope of practice and related to a declared disaster emergency, regardless of whether services are provided before or after the declaration has been made, 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.

This section only applies when the services are provided at a location where health care services are provided during the declaration.

---

### Criteria to establish persons immune from civil liability for act or omission relating to provision of health care services in response to disaster emergency.

Except as provided in section 2 [IC 34-30-13.5-2] of this chapter, a person who meets the following criteria may not be held civilly liable for an act or omission relating to the provision of health care services in response to an event that is declared a disaster emergency under IC 10-14-3-12, regardless of whether the provision of health care services occurred before or after the declaration of a disaster emergency:

- (1) Has a license to provide health care services under Indiana law or the law of another state.
- (2) Provides a health care service:
  - (A) within the scope of the person's license to another person; and
  - (B) at a location where health care services are provided during an event that is declared as a disaster.