

California Good Samaritan Act

Note: Two sections (of the Business & Professional Code) apply to licensed medical providers, i.e. doctors & nurses. One section (of the Health & Safety Code) applies to EMS/FF/LEOs.

Ann.Cal.Bus. & Prof.Code §2395.

Emergency care at scene of accident

No licensee, who in good faith renders emergency care at the scene of an emergency, shall be liable for any civil damages as a result of any acts or omissions by such person in rendering the emergency care.

"The scene of an emergency" as used in this section shall include, but not be limited to, the emergency rooms of hospitals in the event of a medical disaster. "Medical disaster" means a duly proclaimed state of emergency or local emergency declared pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code).

Acts or omissions exempted from liability pursuant to this section shall include those acts or omissions which occur after the declaration of a medical disaster and those which occurred prior to such declaration but after the commencement of such medical disaster. The immunity granted in this section shall not apply in the event of a willful act or omission.

1990

(Added by Stats.1980, c. 1313, p. 4492, §2.)

Ann.Cal.Bus. & Prof.Code §2396. Emergency care for complication arising from prior care by another

No licensee, who in good faith upon the request of another person so licensed, renders emergency medical care to a person for medical complication arising from prior care by another person so licensed, shall be liable for any civil damages as a result of any acts or omissions by such licensed person in rendering such emergency medical care.

1990

(Added by Stats.1980, c. 1313, p. 4492, §2.)

Ann.Cal.Health & Safety Code §1799.106. Firefighters, law enforcement officers, emergency medical technicians; employing agencies

In addition to the provisions of Section 1799.104 of this code and of > Section 1714.2 of the Civil Code and in order to encourage the provision of emergency medical services by firefighters, police officers or other law enforcement officers, EMT-I, EMT-II, or EMT-P, a firefighter, police officer or other law enforcement officer, EMT-I, EMT-II, or EMT-P who renders emergency medical services at the scene of an emergency shall only be liable in civil damages for acts or omissions performed in a grossly negligent manner or acts or omissions not performed in good faith. A public agency employing such a firefighter, police officer or other law enforcement officer, EMT-I, EMT-II, or EMT-P shall not be liable for civil damages if the firefighter, police officer or other law enforcement officer, EMT-I, EMT-II, or EMT-P is not liable.

(1990 Added by Stats.1980, c. 1260, p. 4276, §7. Amended by Stats.1983, c. 1246, §40.)