



## **The Good Samaritan Health Professionals Act** ***Protecting Our Disaster Volunteers***

As we recall large-scale disasters like Hurricane Katrina and the tornadoes of the Midwest, vivid memories of medical professionals rushing to the scene to provide immediate care to victims come to mind. Unfortunately, due to inconsistencies in federal and state laws, some of these volunteer health care professionals have been turned away or limited in the scope of their assistance because of the threat of medical liability lawsuits.

Personal injury lawyers can take advantage of these vague laws and seek financial gain by targeting medical professionals and licensed health care providers who, in times of crisis, have volunteered their services to disaster victims.

### ***Protecting Good Samaritans***

Introduced by Representative Marsha Blackburn (R-TN), H.R. 865, *The Good Samaritan Health Professionals Act* would help protect medical volunteers from lawsuits during a federally-declared disaster, and ensure that vital health care services often provided by medical volunteers remain available.

The protections in H.R. 865 will only apply to licensed health care providers, and will not apply to a health care provider if the harm caused was criminal or deliberate in nature.

### ***Piecing Together a Patchwork of State Laws***

While some states have taken steps to protect medical volunteers, these efforts are sometimes insufficient in the face of wide scale catastrophes. As a result, the current patchwork of federal and state laws that exist to encourage medical volunteerism are inconsistent and are often extremely unclear, especially when applied to large-scale disasters that may cross state lines.

*The Good Samaritan Health Professionals Act* respects existing medical liability laws in individual states, while creating a more comprehensive and clear approach to medical volunteerism during a federally-declared disaster.

### ***Closing the Liability Loophole***

By passing the *Good Samaritan Health Professionals Act*, personal injury lawyers will not be able to use federally declared disasters to exploit patients and health care providers with frivolous lawsuits.

***The Good Samaritan Health Professionals Act will ensure that an adequate supply of trained health care professionals are ready, willing and able to volunteer their services during a catastrophe, and that they will not be deterred or turned away due to the threat of lawsuits.***