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

The impact of large-scale disasters in 2017 was unprecedented, and at a cost of \$306 billion in damages to communities across the United States, was the most expensive year on record for natural disasters.<sup>1</sup> In total, since 1980, disaster losses have exceeded \$1.6 trillion.<sup>2</sup>

Through California wildfires, Gulf Coast hurricanes, and Midwest flooding and tornadoes, medical professionals can be found rushing to the scene to provide care to victims. 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***

To address this problem, Senator Bill Cassidy, MD (R-LA) has introduced *The Good Samaritan Health Professionals Act* (S. 1350) to 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 the bill 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.***

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<sup>1</sup> "Extreme hurricanes and wildfires made 2017 the most costly U.S. disaster year on record," *The Washington Post*, 8 January 2018.

<sup>2</sup> "Natural disasters cost \$91 billion in 2018, according to federal report," *CNBC*, 6 February 2019

States and residents across the country are impacted by large-scale disasters. Without *The Good Samaritan Health Professionals Act*, residents of your state could face a shortage of health professionals during future disasters.

### FEMA DRF Major Disaster Assistance FY2000-FY2013

State	Number of disaster declarations	Types of disasters	Federal disaster aid received
Alabama	23	Hurricanes	\$2.7 billion
Alaska	20	Flooding, ice jams, earthquake	\$275 million
Arizona	11	Severe storms, flooding, wildfires	\$88 million
Arkansas	23	Winter storms, tornadoes, flooding	\$889 million
California	16	Wildfires, severe storms, flooding, landslides, earthquakes	\$1.5 billion
Colorado	7	Flooding	\$664 million
Connecticut	8	Hurricanes, severe storms	\$412 million
Delaware	7	Hurricanes, severe winter storms	\$39 million
District of Columbia	10	Hurricanes, severe winter storms	\$45 million
Florida	24	Hurricanes	\$10.6 billion
Georgia	10	Severe storms, flooding	\$511 million
Hawaii	8	Earthquakes, severe storms, flash flooding	\$115 million
Idaho	6	Severe storms, flooding, wildfires, landslides	\$18 million
Illinois	17	Severe storms, flooding	\$1.3 billion
Indiana	17	Severe storms, flooding	\$529 million
Iowa	21	Severe storms, tornadoes, flooding, winter storms	\$2.7 billion
Kansas	27	Winter storms, tornadoes, flooding	\$1.2 billion
Kentucky	24	Severe winter storms, flooding	\$933 million
Louisiana	19	Hurricanes	\$36.6 billion
Maine	19	Severe storms, flooding	\$123 million
Maryland	10	Hurricanes, severe winter storms	\$336 million
Massachusetts	13	Severe storms, tornadoes, hurricanes	\$688 million
Michigan	5	Storms, flooding, tornadoes	\$334 million
Minnesota	18	Severe storms, flooding	\$524 million
Mississippi	21	Hurricanes	\$10.8 billion
Missouri	27	Severe storms, tornadoes, flooding	\$1.5 billion
Montana	10	Severe storms, flooding, winter storms, wildfires	\$113 million
Nebraska	22	Severe winter storms, flooding	\$509 million
Nevada	4	Severe storms, flooding, fires, winter storms	\$29 million
New Hampshire	18	Severe storms, flooding	\$192 million
New Jersey	17	Hurricanes	\$3.8 billion
New Mexico	11	Severe storms, flooding	\$219 million
New York	28	Terrorist attacks, hurricanes	\$23 billion
North Carolina	14	Hurricanes	\$726 million
North Dakota	22	Severe winter storms, flooding	\$1.2 billion
Ohio	19	Severe winter storms, flooding, tornadoes	\$637 million
Oklahoma	36	Winter storms, severe storms, tornadoes	\$1.2 billion
Oregon	10	Severe storms, flooding, landslides	\$198 million
Pennsylvania	14	Hurricanes, severe storms	\$1 billion
Rhode Island	5	Severe storms, flooding, hurricanes	\$141 million
South Carolina	7	Severe ice storms, tropical storms	\$76 million
South Dakota	22	Flooding, severe winter storms	\$316 million
Tennessee	22	Severe storms, flooding, high winds, tornadoes	\$974 million
Texas	19	Hurricanes, tropical storms	\$8.8 billion
Utah	6	Flooding, severe winter storms	\$45 million
Vermont	20	Severe storms	\$423 million
Virginia	21	Hurricanes, earthquake	\$813 million
Washington	11	Earthquake, severe storms, flooding, landslides	\$620 million
West Virginia	23	Severe storms, flooding, landslides	\$659 million
Wisconsin	12	Severe storms, flooding	\$430 million
Wyoming	4	Severe storms, floods, landslides	\$16 million