



## **LIABILITY PROTECTION**

### **SECTION 1. DEFINITIONS.**

(a) “Certification” means a voluntary, government-granted and nontransferable recognition to an individual who meets personal qualifications related to a lawful occupation as a healthcare professional or government-granted and nontransferable authorization to a facility that meets federal or state requirements to provide healthcare services.

(b) "Health care Facilities” means facilities licensed or certified by a U.S. federal government agency or State agency including federally- and state-operated facilities and any government-operated site providing health care services established for the purpose of responding to a state-declared public health emergency or disaster.

(c) “Health Care Professionals” means licensed or certified health care or emergency medical services workers who

(1) Are providing health care services at a health care facility in response to a state-declared public health emergency or disaster and are authorized to do so; or

(2) Are working under the direction of the [STATE EMERGENCY SERVICES



OR HEALTH CARE AGENCY] in response to a state-declared public health emergency or disaster.

(d) “Health Care Volunteers” means all volunteers or medical or nursing students who do not have licensure who

(1) are providing services, assistance, or support at a health care facility in response to a state-declared public health emergency or disaster and are authorized to do so; or

(2) are working under the direction of the [STATE EMERGENCY SERVICES OR HEALTHCARE AGENCY] in response to a state-declared public health emergency or disaster.

(e) “License” is a nontransferable authorization in law for an individual to perform exclusively a lawful occupation based on meeting personal qualifications or a government-granted and nontransferable authorization to a facility that meets federal or state requirements to provide healthcare services. In an occupation for which a license is required, it is illegal for an individual who does not possess a valid occupational license to perform the occupation.

## **SECTION 2.**

(a) Health care facilities, health care professionals, and health care volunteers shall be immune from civil liability for any injury or death alleged to have been caused by any act or omission by the health care facility, the health care professional, or the health care volunteer which injury or death occurred at a time when a health care facility, the health care professional, or the health care volunteer was engaged in the course of rendering assistance by providing health care services in response to a state-declared public health emergency or disaster, unless it is established that such injury or death was caused by gross negligence or willful misconduct of such health care facility, health care professional, or health care volunteer.