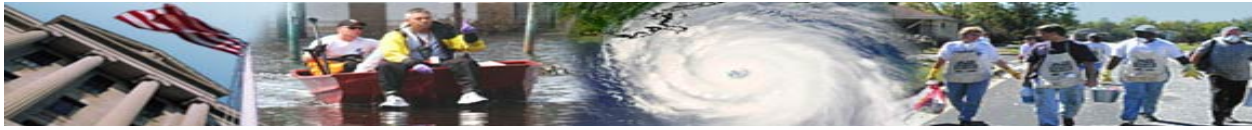


Good Samaritan Entity Liability Protection



Issue Brief

Background

Most state Good Samaritan laws provide civil immunity for some individuals acting in good faith to provide assistance in an emergency. These laws were designed to create incentives for individuals, particularly licensed health care practitioners, to voluntarily come to the aid of others without the fear of liability.

The Issue

In the wake of recent catastrophes such as 9/11, SARS, and Hurricane Katrina, states are making a concerted effort to prepare for the next disaster. The need for government agencies to partner with private and non-profit organizations to maximize response capacity and effectiveness is widely acknowledged. However, most state Good Samaritan laws leave significant gaps of liability exposure for both private and non-profit organizations that are willing to assist government agencies in voluntarily responding to an emergency posed by a natural disaster, emerging infection, or terrorist event.

The Good Samaritan Entity Liability Protection Initiative has been developed to address this pressing gap in liability protection, and to create incentives for private and non-profit entities to join with government agencies as they prepare for, and respond to, the next public health emergency.

The fundamental concept of the Initiative is “entity liability protection” during emergencies. Business and non-profit entities that voluntarily act in good faith to assist their communities during emergencies need the same Good Samaritan liability protection that in most states only covers certain individuals.

State level coalitions - comprised of interested stakeholders from public health, emergency management, business and non-profit entities, professional associations, and academia - will play a critical role in achieving Good Samaritan Entity Liability Protection.