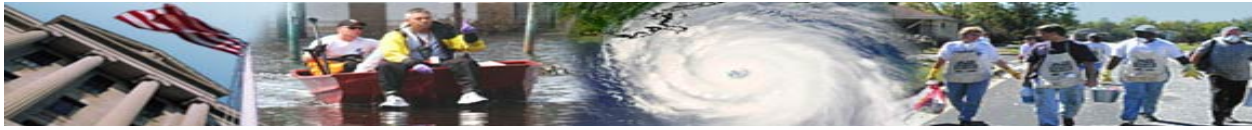


# Good Samaritan Entity Liability Protection



## Talking Points

- During times of disaster, natural or manmade, the need for government agencies to partner with private and non-profit organizations to maximize response capacity is widely recognized.
- We all learned from the 2005 hurricane season that the resources of federal, state, and local governments alone can not meet the needs of disaster victims. The government must be able to rely on the valuable assistance of both the private and non-profit sectors to respond adequately to major disasters. Similarly, private and non-profit organizations need public sector support. No sector can go it alone.
- Two future disaster scenarios that everyone is preparing for – pandemic influenza and a biological or chemical disaster could far surpass our response to Katrina or September 11th, 2001. The country's response to a chemical or biological disaster would require hundreds and thousands of volunteers, many of whom will be responding in the most dangerous of circumstances.
- Business and nonprofit entities want to ensure that they will be able to support government agencies by rapidly providing their expertise and experience, as well as an adequate and effective force of volunteers.
- Most state Good Samaritan laws leave significant gaps of liability exposure for both private and non-profit organizations, as well as their volunteers, that are willing to assist government agencies in responding to catastrophic events such as a natural disaster, terrorist event or a pandemic flu event.
- In a pandemic flu event, for example, government may need the voluntary assistance and experience of business and non-profit entities to manage the rapid distribution of antiviral medications to large population groups. Without entity liability protection, business and non-profit entities acting in good faith remain exposed to liability for the adverse reactions that will occur when such medications are administered.
- Strengthening state laws to include liability protections for private and non-profit entities would create incentives for these groups to join voluntarily with government agencies as they prepare for and respond to future catastrophic events.