



EMERGENCY MEDICAL SERVICES: IMMUNITY FOR RN (at the scene of an emergency or during an emergency air or ground ambulance transport)

Legislation enacted during the 2011-2012 Session

Effective January 1, 2013 SB 1365 (Negrete, McLeod), Chapter 69, is an act to amend Section 1799.106 of the Health and Safety Code, relating to emergency medical services.

This bill will extend the above-described liability limit applicable to firefighters, police officers or other law enforcement officers, and emergency medical technicians to emergency medical services, rendered during an emergency air or ground ambulance transport, and emergency medical services rendered by a registered nurse, as defined, at the scene of an emergency or during an emergency air or ground ambulance transport.

The people of California do enact as follows:

SECTION 1. The Legislature finds and declares both of the following :

(a) Since the original enactment of Section 1799.106 of the Health and Safety Code, registered nurses have become more directly involved in the provision of emergency medical services, as crew members in both air and ground ambulances.

(b) Registered nurses should be encouraged to provide emergency medical services in air and ground ambulances in the same way as firefighters, law enforcement, and EMT-Is and EMT-Ps.

SECTION. 2. Section 1799.106 of the Health and Safety Code is amended to read:

1799.106. (a) In addition to the provisions of Section 1799.104 of this code, Section 2727.5 of the Business and Professions Code, and Section 1714.2 of the Civil Code, and in order to encourage the provision of emergency medical services by firefighters, police officers or other law enforcement officers, EMT-I, EMT-II, EMT-P, or registered nurses, a firefighter, police officer or other law enforcement officer, EMT-I, EMT-II, EMT-P, or registered nurse who renders emergency medical services at the scene of an emergency or during an emergency air or ground ambulance transport shall only be liable in civil damages for acts or omissions performed in a grossly negligent manner or acts or omissions not performed in good faith. A public agency employing such a firefighter, police officer or other law enforcement officer, EMT-I, EMT-II, EMT-P, or registered nurse shall not be liable for civil damages if the firefighter, police officer or other law enforcement officer, EMT-I, EMT-II, EMT-P, or registered nurse is not liable.

(b) For purposes of this section, "registered nurse" means a registered nurse trained in emergency medical services and licensed pursuant to Chapter 6 (commencing with Section 2700) of Division 2 of the Business and Professions Code.