

FIRST REGULAR SESSION

HOUSE BILL NO. 462

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SMITH (118) (Sponsor), JOHNSON (61), BYRD, SMITH (14),
FRASER, YAEGER, SCHOEMEHL, WHORTON, DENISON AND SUTHERLAND (Co-sponsors).

Read 1st time February 3, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1377L.011

AN ACT

To repeal section 537.037, RSMo, and to enact in lieu thereof one new section relating to
immunity from civil liability for the provision of emergency care.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 537.037, RSMo, is repealed and one new section enacted in lieu
2 thereof, to be known as section 537.037, to read as follows:

537.037. 1. Any physician or surgeon, registered professional nurse or licensed practical
2 nurse licensed to practice in this state under the provisions of chapter 334 or 335, RSMo, or
3 licensed to practice under the equivalent laws of any other state and any person licensed as a
4 mobile emergency medical technician under the provisions of chapter 190, RSMo, may:

5 (1) In good faith render emergency care or assistance, without compensation, at the scene
6 of an emergency or accident, and shall not be liable for any civil damages, for acts or omissions
7 other than damages occasioned by gross negligence or by willful or wanton acts or omissions by
8 such person in rendering such emergency care;

9 (2) In good faith render emergency care or assistance, without compensation, to any
10 minor involved in an accident, or in competitive sports, or other emergency at the scene of an
11 accident, without first obtaining the consent of the parent or guardian of the minor, and shall not
12 be liable for any civil damages other than damages occasioned by gross negligence or by willful
13 or wanton acts or omissions by such person in rendering the emergency care.

14 2. Any other person who has been trained to provide first aid in a standard recognized
15 training program may, without compensation, render emergency care or assistance to the level

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended
to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 for which he or she has been trained, at the scene of an emergency or accident, and shall not be
17 liable for civil damages for acts or omissions other than damages occasioned by gross negligence
18 or by willful or wanton acts or omissions by such person in rendering such emergency care.

19 **3. Any mental health professional, as defined in section 632.005, RSMo, or**
20 **substance abuse counselor, as defined in section 631.005, RSMo, may in good faith render**
21 **suicide prevention interventions at the scene of a threatened suicide and shall not be liable**
22 **for any civil damages for acts or omissions other than damages occasioned by gross**
23 **negligence or by willful or wanton acts or omissions by such person in rendering such**
24 **suicide prevention interventions.**

25 **4. Any other person who has been trained to provide suicide prevention**
26 **interventions in a standard recognized training program may, without compensation,**
27 **render suicide prevention interventions to the level for which such person has been trained**
28 **at the scene of a threatened suicide and shall not be liable for civil damages for acts or**
29 **omissions other than damages occasioned by gross negligence or by willful or wanton acts**
30 **or omissions by such person in rendering such suicide prevention interventions.**