

HB 1118 -- CIVIL DEFENSE

SPONSOR: Dempsey

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Veterans by a vote of 11 to 0.

This bill allows for the deployment of any health care professional licensed, registered, or certified in this state or any adjoining state who volunteers during an emergency declared by the Governor and provides them immunity from civil damages for providing services. Currently, only workers licensed, registered, or certified in this state are allowed to be deployed.

FISCAL NOTE: No impact on state funds in FY 2007, FY 2008, and FY 2009.

PROPOSERS: Supporters say that the bill will provide immunity from civil damages to health care workers who voluntarily come to Missouri during a disaster. These individuals are licensed in other states, but they are concerned about liability insurance not covered by their primary employer or private policy. The bill will confer immunity to health care workers in a very narrow way since it can only be used during a declared emergency.

Testifying for the bill were Representatives Dempsey and Page; Missouri Hospital Association; State Emergency Management Association; St. Louis Area Regional Response System; BJC HealthCare; Mid-America Regional Council; Missouri Association of Homes for the Aging; and Missouri State Council of Firefighters.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that it is well-intentioned but vague. Granting immunity to someone for negligence may cause problems. We don't want people who are victimized by disaster to be further victimized by negligence.

Others testifying on the bill was Missouri Association of Trial Attorneys.

Alice Hurley, Legislative Analyst