

FIRST REGULAR SESSION

HOUSE BILL NO. 618

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DAVIS (Sponsor), COOPER (155), BEARDEN, McGHEE, SMITH (14), ONDER, FUNDERBURK, PORTWOOD, SELF, FISHER, POLLOCK, TILLEY, WOOD, DEMPSEY, NIEVES, KINGERY, THRELKELD, MUSCHANY, MUNZLINGER AND CUNNINGHAM (86) (Co-sponsors).

Read 1st time January 25, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1765L.01I

AN ACT

To repeal section 537.037, RSMo, and to enact in lieu thereof one new section relating to Missouri's Good Samaritan law.

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Section A. Section 537.037, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 537.037, to read as follows: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 nurse licensed to practice in this state under the provisions of chapter 334 or 335, RSMo, or licensed to practice under the equivalent laws of any other state and any person licensed as a mobile emergency medical technician under the provisions of chapter 190, RSMo, may:

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

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

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.

14 **(3) In good faith render care or assistance to any person, within a free clinic which**
15 **operates without direct compensation from any person receiving health care services or**
16 **assistance, and shall not be liable for any civil damages other than damages resulting from**
17 **gross negligence or by willful or wanton acts or omissions by such person in rendering the**
18 **care or assistance. Such provision does not authorize or grant civil immunity for any**
19 **individual to provide health care services or assistance outside or beyond the scope of such**
20 **professional's licensed or certified medical field.**

21 2. Any other person who has been trained to provide first aid in a standard recognized
22 training program may, without compensation, render emergency care or assistance to the level
23 for which he or she has been trained, at the scene of an emergency or accident, and shall not be
24 liable for civil damages for acts or omissions other than damages occasioned by gross negligence
25 or by willful or wanton acts or omissions by such person in rendering such emergency care.

26 3. Any mental health professional, as defined in section 632.005, RSMo, or substance
27 abuse counselor, as defined in section 631.005, RSMo, or any practicing medical, osteopathic,
28 or chiropractic physician, or certified nurse practitioner, or physicians' assistant may in good faith
29 render suicide prevention interventions at the scene of a threatened suicide and shall not be liable
30 for any civil damages for acts or omissions other than damages occasioned by gross negligence
31 or by willful or wanton acts or omissions by such person in rendering such suicide prevention
32 interventions.

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

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