

SECOND REGULAR SESSION

# HOUSE BILL NO. 2213

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES RIDDLE (Sponsor), MUNZLINGER,  
PARSON AND JONES (117) (Co-sponsors).

4753L.02I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

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

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Section A. Section 537.037, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 537.037, to read as follows: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

2. Any other person who has been trained to provide first aid in a standard recognized training program may, without compensation, render emergency care or assistance to the level for which he or she has been trained, at the scene of an emergency or accident, and shall not be

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.

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 qualified  
20 counselor, as defined in section 631.005, RSMo, or any practicing medical, osteopathic, or  
21 chiropractic physician, or certified nurse practitioner, or physicians' assistant may in good faith  
22 render suicide prevention interventions at the scene of a threatened suicide and shall not be liable  
23 for any civil damages for acts or omissions other than damages occasioned by gross negligence  
24 or by willful or wanton acts or omissions by such person in rendering such suicide prevention  
25 interventions.

26       4. Any other person may, without compensation, render suicide prevention interventions  
27 at the scene of a threatened suicide and shall not be liable for civil damages for acts or omissions  
28 other than damages occasioned by gross negligence or by willful or wanton acts or omissions by  
29 such person in rendering such suicide prevention interventions.

30       **5. (1) Any search and rescue operation medical assistant or tactical operation**  
31 **medical assistant may, without additional pay, render care or treatment during a search**  
32 **and rescue or tactical operation to the level for which he or she has been trained and shall**  
33 **not be liable for civil damages for acts or omissions other than damages occasioned by**  
34 **gross negligence or by willful or wanton acts or omissions by such person rendering care**  
35 **or treatment during a search and rescue or tactical operation.**

36       **(2) For purposes of this subsection, the following terms shall mean:**

37       **(a) "Search and rescue operation", an action by a governmental agency to search**  
38 **for, rescue, or recover victims of a natural or manmade disaster, accident, or emergency**  
39 **on land or water;**

40       **(b) "Search and rescue operation medical assistant", an individual licensed to**  
41 **practice one or more of the occupations listing in paragraph (d) of this subdivision, acting**  
42 **within the scope of the license, and assisting a governmental agency in a search and rescue**  
43 **operation;**

44       **(c) "Tactical operation", a coordinated planned action by a special operations,**  
45 **weapons, or response team of a law enforcement agency that is one of the following:**

46       **a. Taken to deal with imminent violence, a riot, an act of terrorism, or a similar**  
47 **civic emergency;**

48       **b. The entry into a building, area, watercraft, aircraft, land vehicle, or body of**  
49 **water to seize evidence, or to arrest an individual for a felony under the authority of**  
50 **warrant issued by a court; or**

51       **c. Training for the team;**

- 52           (d) "Tactical operation medical assistant", an individual licensed to practice one  
53 or more of the following, acting within the scope of the license, and assisting law  
54 enforcement officers while they are engaged in a tactical operation:
- 55           a. Medicine, osteopathic medicine, and surgery, or as a registered professional  
56 nurse;
- 57           b. As an emergency medical technician, emergency medical technician specialist,  
58 or paramedic.

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