

HB 738 -- LIABILITY EXEMPTIONS FOR PERSONS RENDERING EMERGENCY CARE

SPONSOR: Gallick

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on General Laws by a vote of 10 to 0. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 10 to 0.

The bill provides that a person who renders emergency care, without compensation, at the scene of an accident or other emergency is not to be held liable for any civil damages for acts or omissions, other than damages caused by gross negligence or willful, wanton acts or omissions.

Emergency care or assistance that is provided by respiratory care practitioners, physicians, surgeons, registered professional nurses, licensed practical nurses, or emergency medical technicians, who are subject to the provisions of existing statute, are not subject to the provisions of this bill.

PROPONENTS: Supporters say that this bill will incentivize people who wish to help, but who often do not offer assistance because of a fear of prosecution. Supporters further say that frequently there are any number of individuals who are in possession of lifesaving knowledge and techniques that could greatly help, if not save the life, of a person who is in need of emergency care, but potential lifesaving care is not administered.

Testifying in person for the bill were Representative Gallick; American Heart Association; American Heart Association; MO Ambulance Assn.; Matt Bowen, Missouri Ambulance Association; and Arnie C. Dienoff.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.