
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1506 Session of
1993

INTRODUCED BY PISTELLA, DeWEESE, FLEAGLE, FARGO, LAUB, MELIO,
ROONEY, DENT, TIGUE, CLARK, MASLAND, SCHEETZ, HECKLER, DALEY,
MARKOSEK, D. R. WRIGHT, COLAIZZO, GIGLIOTTI, FAJT, CLYMER,
NYCE, STABACK, SATHER, HERSHEY, MILLER, M. N. WRIGHT, SEMMEL,
FAIRCHILD, B. SMITH, MURPHY, TANGRETTI, KING, HASAY, FLICK
AND D. W. SNYDER, MAY 3, 1993

REFERRED TO COMMITTEE ON JUDICIARY, MAY 3, 1993

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing certain
3 immunity to individuals who provide limited volunteer medical
4 professional care.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 8331 of Title 42 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 8331. Medical good Samaritan civil immunity.

10 (a) General rule.--Any physician or any other practitioner
11 of the healing arts or any registered nurse, licensed by any
12 state, who happens by chance upon the scene of an emergency or
13 who arrives on the scene of an emergency by reason of serving on
14 an emergency call panel or similar committee of a county medical
15 society or who is called to the scene of an emergency by the
16 police or other duly constituted officers of a government unit
17 or who is present when an emergency occurs and who, in good

1 faith, renders emergency care at the scene of the emergency,
2 shall not be liable for any civil damages as a result of any
3 acts or omissions by such physician or practitioner or
4 registered nurse in rendering the emergency care, except any
5 acts or omissions intentionally designed to harm or any grossly
6 negligent acts or omissions which result in harm to the person
7 receiving emergency care.

8 [(b) Definition.--As used in this section "good faith" shall
9 include, but is not limited to, a reasonable opinion that the
10 immediacy of the situation is such that the rendering of care
11 should not be postponed until the patient is hospitalized.]

12 (b) Volunteer medical professional civil immunity.--Any
13 medical professional who does not receive remuneration for
14 medical services provided to a person in a health care delivery
15 site shall not be liable for any civil damages as a result of
16 any acts or omissions by the medical professional in rendering
17 health care, except for recklessness or wanton conduct.

18 (c) Definitions.--As used in this section, the following
19 words and phrases shall have the meanings given to them in this
20 subsection:

21 "Good faith." Shall include, but is not limited to, a
22 reasonable opinion that the situation is such that the rendering
23 of care should not be postponed until the patient is
24 hospitalized.

25 "Healing arts." The science and skill of diagnosis,
26 prevention or treatment, in any manner whatsoever, of disease or
27 any ailment of the human body.

28 "Health care delivery site." A location at which health care
29 professionals provide medical care, including, but not limited
30 to, hospitals, clinics, satellite clinics, community health

1 centers not affiliated with hospitals, or location of a
2 Department of Health sponsored program.

3 "Medical professional." An individual who is authorized to
4 practice some component of the healing arts by a license,
5 permit, certificate or registration issued by a Commonwealth
6 licensing agency or board.

7 Section 2. This act shall take effect in 60 days.