
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2082 Session of
1993

INTRODUCED BY CAPPABIANCA, TRELLO, BELFANTI, SCRIMENTI, BEBKO-
JONES, NAILOR, SCHULER, TULLI, MELIO, OLASZ, GORDNER,
SAURMAN, ROHRER, M. N. WRIGHT, MASLAND, LAUB, DeLUCA, FLICK,
MILLER, TIGUE, SURRA, LEH, CLARK, DENT, FARGO, ROBERTS, FAJT,
ROONEY, D. W. SNYDER, STABACK, LAUGHLIN, CORRIGAN, EGOLF,
WILLIAMS, CIVERA, TANGRETTI, LEDERER, LEE AND THOMAS,
OCTOBER 4, 1993

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 4, 1993

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 immunity for charitable medical services.

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

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

8 § 8331. Medical good Samaritan civil immunity.

9 (a) General rule.--

10 (1) Any physician or any other practitioner of the
11 healing arts or any registered nurse, licensed by any state,
12 who happens by chance upon the scene of an emergency or who
13 arrives on the scene of an emergency by reason of serving on
14 an emergency call panel or similar committee of a county
15 medical society or who is called to the scene of an emergency

1 by the police or other duly constituted officers of a
2 government unit or who is present when an emergency occurs
3 and who, in good faith, renders emergency care at the scene
4 of the emergency, shall not be liable for any civil damages
5 as a result of any acts or omissions by such physician or
6 practitioner or registered nurse in rendering the emergency
7 care, except any acts or omissions intentionally designed to
8 harm or any grossly negligent acts or omissions which result
9 in harm to the person receiving emergency care.

10 (2) A health care practitioner who voluntarily and
11 without compensation renders authorized health care services
12 at a facility which does not charge for health care services
13 shall not be liable for any civil damages as a result of any
14 acts or omissions by the health care practitioner in
15 rendering the authorized health care services, except any
16 acts or omissions intentionally designed to harm or any
17 grossly negligent acts or omissions which result in harm to
18 the person receiving the authorized health care services.

19 (b) Definition.--As used in this section ["good faith" shall
20 include], the following words and phrases shall have the
21 meanings given to them in this subsection:

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

26 "Health care practitioner." An individual who is authorized
27 to practice some component of the healing arts by a license,
28 permit, certificate or registration issued by a Commonwealth
29 licensing agency or board.

30 Section 2. The amendment of 42 Pa.C.S. § 8331 shall apply to

1 causes of action which arise on or after the effective date of
2 this act.

3 Section 3. This act shall take effect in 60 days.