

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 771

Session of
1983

INTRODUCED BY GREENWOOD, WASS, GEIST, MILLER, CIMINI, FATTAH,
SIRIANNI, COY, ARTY, J. L. WRIGHT, SAURMAN, JOHNSON, BUNT,
CLYMER, HALUSKA, MERRY, PETERSON AND OLASZ, APRIL 13, 1983

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 13, 1983

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for protection from civil or
3 criminal liability for medical personnel.

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

6 Section 1. Sections 1547(j) and 3755(b) of Title 75 of the
7 Pennsylvania Consolidated Statutes, amended or added December
8 15, 1982 (P.L.1268, No.289), are amended to read:

9 § 1547. Chemical testing to determine amount of alcohol
10 or controlled substance.

11 * * *

12 (j) Immunity from civil liability and reports.--No
13 physician, nurse or technician or hospital employing such
14 physician, nurse or technician, and no other employer of such
15 physician, nurse or technician shall be civilly liable for
16 [properly] withdrawing blood or obtaining a urine sample and
17 reporting test results to the police at the request of a police
18 officer pursuant to this section. No physician, nurse or

1 technician or hospital employing such physician, nurse or
2 technician may administratively refuse to perform such tests and
3 provide the results to the police officer except as may be
4 reasonably expected from unusual circumstances that pertain at
5 the time the request is made.

6 * * *

7 § 3755. Reports by emergency room personnel.

8 * * *

9 (b) Immunity from civil or criminal liability.--No
10 physician, nurse or technician or hospital employing such
11 physician, nurse or technician and no other employer of such
12 physician, nurse or technician shall be civilly or criminally
13 liable for [properly] withdrawing blood or obtaining a urine
14 sample and reporting test results to the police pursuant to this
15 section or for performing any other duty imposed by this
16 section. No physician, nurse or technician or hospital employing
17 such physician, nurse or technician may administratively refuse
18 to perform such tests and provide the results to the police
19 officer except as may be reasonably expected from unusual
20 circumstances that pertain at the time of admission.

21 Section 2. This act shall be retroactive to January 14,
22 1983.

23 Section 3. This act shall take effect immediately.