

No. 1978-122

AN ACT

HB 1205

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for nonmedical good Samaritan civil immunity.

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

Section 1. Section 8332 of Title 42, act of November 25, 1970 (P.L.707, No.230), known as the Pennsylvania Consolidated Statutes, is amended to read:

§ 8332. Nonmedical good Samaritan civil immunity.

(a) General rule.—Any **[fireman, policeman, member of a volunteer ambulance or rescue squad or member of the National Ski Patrol] person** who renders emergency care, first aid or rescue **[while in the performance of his duties]** at the scene of an emergency, or moves the person receiving such care, first aid and rescue to a hospital or other place of medical care, shall not be liable to such person for any civil damages as a result of any acts or omissions in rendering the emergency care, first aid or rescue, or moving the person receiving the same to a hospital or other place of medical care, except any acts or omissions intentionally designed to harm or any grossly negligent acts or omissions which result in harm to the person receiving the emergency care, first aid or rescue or being moved to a hospital or other place of medical care.

(b) Exceptions.—

(1) This section shall not relieve a driver of an ambulance or other emergency or rescue vehicle from liability arising from operation or use of such vehicle.

(2) In order for any **[fireman, policeman, member of a volunteer ambulance or rescue squad or member of the National Ski Patrol] person** to receive the benefit of the exemption from civil liability provided for in subsection (a), he shall **[first have taken and successfully completed a standard first aid course recognized or approved by the American Red Cross and further he shall have a valid certification from the American Red Cross that he has successfully completed any necessary training or refresher courses, or shall have successfully completed a first aid course having standards at least equal to a first aid course recognized or approved by the American Red Cross.] be, at the time of rendering the emergency care, first aid or rescue or moving the person receiving emergency care, first aid or rescue to a hospital or other place of medical care, the holder of a current certificate evidencing the successful completion of a course in first aid, advanced life saving or**

basic life support sponsored by the American National Red Cross or the American Heart Association or an equivalent course of instruction approved by the Department of Health in consultation with a technical committee of the Pennsylvania Emergency Health Services Council and must be performing techniques and employing procedures consistent with the nature and level of the training for which the certificate has been issued.

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

APPROVED— The 1st day of July, A. D. 1978.

MILTON J. SHAPP