

HOUSE No. 3385

The Commonwealth of Massachusetts

PRESENTED BY:

Viriato Manuel deMacedo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to providing a safe harbor for good samaritans.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>	<i>1/20/2011</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>2/3/2011</i>

HOUSE No. 3385

By Mr. deMacedo of Plymouth, a petition (accompanied by bill, House, No. 3385) of Viriato Manuel deMacedo and Sheila C. Harrington relative to protecting certain persons rendering emergency care from liability. The Judiciary.

The Commonwealth of Massachusetts

—————
In the Year Two Thousand Eleven
—————

An Act relative to providing a safe harbor for good samaritans.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 112 of the General Laws is hereby amended by inserting after section 12V½ the
2 following section:-

3 Section 12V3/4. Any person, who in good faith, attempts to render emergency care at the
4 place of the emergency, or while in transit in an ambulance or rescue vehicle to a person who is
5 in urgent need of care as a result of the emergency, and does so without compensation for the
6 care from or on behalf of the person cared for, shall not be liable for acts or omissions, other than
7 gross negligence or willful or wanton misconduct, resulting from the attempt to render such
8 emergency care; provided, however, that any persons rendering emergency care shall have the
9 duty to place the injured person under the care of a physician, nurse, or other persons qualified to
10 care for such person as soon as possible and to obey the instructions of such qualified person.