SENATE DOCKET, NO. 1086 FILED ON: 1/17/2013

SENATE . . . . . No. 1012

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 emergency and disaster planning for health care providers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James B. Eldridge	*Middlesex and Worcester*
Cynthia S. Creem	*First Middlesex and Norfolk*
Michael O. Moore	*Second Worcester*

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SENATE . . . . . No. 1012

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 1012) of James B. Eldridge, Cynthia S. Creem and Michael O. Moore for legislation relative to emergency and disaster planning for health care providers. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to emergency and disaster planning for health care providers.

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

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 224 the following section:-

Section 225. Notwithstanding the provisions of any general or special law or any rule or regulation to the contrary, no health care provider, as defined in section 1 of this chapter or a health care provider licensed under chapter 112 of the General Laws, shall be liable in a suit for damages or administrative sanctions as a result of good-faith acts or omissions while engaged in the performance of their duties in rendering emergency care; or providing treatment, advice, or assistance during a governor declared statewide or regional pandemic or disaster; the activation of a hospital code help plan, so called; or due to a determination by the department that there exists a critical shortage of available supplies to treat patients. This section does not apply in the case of willful, wanton, or reckless actions unrelated to the performance of their duties.