



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3564

by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

745 ILCS 49/68

Amends the Good Samaritan Act. Provides that the immunity extended to disaster relief volunteers extends to any health practitioner, as that term is defined in the Uniform Emergency Volunteer Health Practitioners Act. Provides that the immunity is extended to a class of specified individuals who in good faith and without fee or compensation provide "health services", as that term is defined in the Uniform Emergency Volunteer Health Practitioners Act. Provides that the period of immunity lasts 30 (instead of 10) days following a disaster or catastrophic event or during the time the Governor has declared a disaster pursuant to the Illinois Emergency Management Agency Act. Provides that the immunity applies only to a disaster relief volunteer who provides health services in relief of a disaster, as that term is defined by the Illinois Emergency Management Agency Act (instead of in relief of an earthquake, hurricane, tornado, nuclear attack, terrorist attack, epidemic, or pandemic). Makes other changes. Effective immediately.

LRB100 07358 HEP 21469 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Good Samaritan Act is amended by changing
5 Section 68 as follows:

6 (745 ILCS 49/68)

7 Sec. 68. Disaster Relief Volunteers. Any firefighter,
8 licensed emergency medical technician (EMT) as defined by
9 Section 3.50 of the Emergency Medical Services (EMS) Systems
10 Act, physician, dentist, podiatric physician, optometrist,
11 pharmacist, advanced practice nurse, physician assistant, ~~or~~
12 nurse, or any health practitioner as defined by item (7) of
13 Section 3 of the Uniform Emergency Volunteer Health
14 Practitioners Act who in good faith and without fee or
15 compensation provides health ~~care~~ services, as that term is
16 defined in item (8) of Section 3 of the Uniform Emergency
17 Volunteer Health Practitioners Act, as a disaster relief
18 volunteer shall not, as a result of his or her acts or
19 omissions, except willful and wanton misconduct on the part of
20 the person, in providing health ~~care~~ services, be liable to a
21 person to whom the health ~~care~~ services are provided for civil
22 damages. This immunity applies to health ~~care~~ services that are
23 provided without fee or compensation during or within 30 ~~10~~

1 days following the end of a disaster or catastrophic event or
2 during the time the Governor has declared a disaster pursuant
3 to Section 7 of the Illinois Emergency Management Agency Act,
4 whichever period is longer.

5 The immunity provided in this Section only applies to a
6 disaster relief volunteer who provides health ~~care~~ services in
7 relief of a disaster, as that term is defined by Section 4 of
8 the Illinois Emergency Management Agency Act ~~an earthquake,~~
9 ~~hurricane, tornado, nuclear attack, terrorist attack,~~
10 ~~epidemic, or pandemic~~ without fee or compensation for providing
11 the volunteer health ~~care~~ services.

12 The provisions of this Section shall not apply to any
13 health care facility as defined in Section 8-2001 of the Code
14 of Civil Procedure or to any practitioner, who is not a
15 disaster relief volunteer, providing health care services in a
16 hospital or health care facility.

17 (Source: P.A. 98-214, eff. 8-9-13.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.