

Good Samaritan Laws

Summary Handout

- All 50 states and the District of Columbia have some form of the Good Samaritan law. However, no two jurisdictions apply the same language in their laws.
- Florida Statute 768.13: Good Samaritan Act; Immunity from Civil Liability.
- All 50 states and the District of Columbia's Good Samaritan Laws exempt people from liability when using automatic external defibrillators (AEDs) in an emergency.
- Good Samaritan laws do not protect providers from being named in a lawsuit. Providers may still need to go to court.
- For Good Samaritan Laws to be applicable:
 - The situation must be an emergency.
 - The services rendered must be voluntary.
 - The victim receiving care must be accepting of it. Obtain consent whenever possible.
 - Care provided must be rendered free of charge.
 - The care performed must be done "in good faith" to help.
 - The care provided cannot be considered as gross negligence or willful misconduct.
- Ordinary negligence: The person providing aid did not perform as a reasonable health care provider would under similar circumstances. In general, Good Samaritan Laws provide immunity from civil damages for injuries or death due to ordinary negligence.
- Gross negligence: The person did not follow the accepted standard of care. The person's actions were "willful, wanton, or even malicious". Good Samaritan Laws typically do not protect against allegations of gross negligence.

Reference:

www.cordem.org: good.samaritan.laws.summary.handout.docx