

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

*As Engrossed: H3/13/03*

# A Bill

HOUSE BILL 1176

5 By: Representative Bolin  
6 By: Senator J. Jeffress  
7

## For An Act To Be Entitled

10 AN ACT TO INCLUDE ACUPUNCTURISTS UNDER THE "GOOD  
11 SAMARITAN" LAW; AND FOR OTHER PURPOSES.

### Subtitle

14 AN ACT TO INCLUDE ACUPUNCTURISTS UNDER  
15 THE "GOOD SAMARITAN" LAW.

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code § 17-95-101(d), concerning the Good Samaritan  
21 law, is amended to read as follows:

22 *17-95-101. "Good Samaritan" law.*

23 *(a) Any person licensed as a physician, ~~or~~ surgeon, or practitioner*  
24 *under the laws of the State of Arkansas or any other person, who, in good*  
25 *faith, lends emergency care or assistance without compensation at the place*  
26 *of an emergency or accident, and who was acting as a reasonable and prudent*  
27 *person would have acted under the circumstances present at the scene at the*  
28 *time the services were rendered, shall not be liable for any civil damages*  
29 *for acts or omissions performed in good faith.*

30 *(b) Any person who is not a physician, surgeon, nurse, or other person*  
31 *trained or skilled in the treatment of medical emergencies who is present at*  
32 *an emergency or accident scene, and who:*

33 *(1) Believes that the life, health, and safety of an injured*  
34 *person or a person who is under imminent threat of danger could be aided by*  
35 *reasonable and accessible emergency procedures under the circumstances*  
36 *existing at the scene thereof;*



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1           (2) Proceeds to lend emergency assistance or service in a manner  
2 reasonably calculated to lessen or remove the immediate threat to the life,  
3 health, or safety of such a person;

4           (3) Lends only such emergency care or assistance as a reasonable  
5 and prudent person concerned for the immediate protection of the life,  
6 health, and safety of the person for whom the services were rendered would  
7 lend under the circumstances, shall not be held liable in civil damages in  
8 any action in this state for any harm, injury, or death of any such person so  
9 long as the person rendering such services acted in good faith and was acting  
10 as a reasonable and prudent person would have acted under the circumstances  
11 present at the scene at the time the services were rendered.

12         (c)(1) No physician, ~~or~~ surgeon, or practitioner who in good faith and  
13 without compensation renders voluntary emergency medical assistance to a  
14 participant in a school athletic event or contest at the site thereof or  
15 during transportation to a health care facility for an injury suffered in the  
16 course of the event or contest shall be liable for any civil damages as a  
17 result of any acts or omissions by that physician or surgeon in rendering the  
18 emergency medical care.

19           (2) The immunity granted by this subsection shall not apply in  
20 the event of an act or omission constituting gross negligence.

21         (d)(1) For the purposes of this section and any other law of this  
22 state which takes effect on or after January 1, 1994, the term "physician"  
23 shall mean a person licensed by the Arkansas State Medical Board, the  
24 Arkansas State Board of Chiropractic Examiners, or the State Podiatry  
25 Examining Board.

26           (2) For the purposes of this section, "practitioner" means a  
27 person licensed by the Arkansas State Board of Acupuncture and Related  
28 Techniques.

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30 /s/ Bolin  
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