

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 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 2491

4
5 By: Representative Shelby
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For An Act To Be Entitled

8
9 AN ACT TO GRANT IMMUNITY FROM LIABILITY TO
10 LICENSED MEDICAL AND DENTAL PROFESSIONALS DURING
11 A DECLARED DISASTER; AND FOR OTHER PURPOSES.
12

Subtitle

13
14 AN ACT TO GRANT IMMUNITY FROM LIABILITY
15 TO LICENSED MEDICAL AND DENTAL
16 PROFESSIONALS DURING A DECLARED
17 DISASTER.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 12, Chapter 75, Subchapter 1 is amended
23 to add an additional subsection to read as follows:

24 12-75-133. Immunity for volunteers.

25 (a) An individual is not liable for negligently causing the death of
26 or injury to any person or for the loss of or damage to the property of a
27 person resulting from the aid rendered during a disaster declared under the
28 Arkansas Emergency Services Act of 1973 § 12-75-101 et seq. if:

29 (1) The individual was a medical or dental professional licensed
30 by the state or a political subdivision of the state;

31 (2) The individual was rendering aid voluntarily and without
32 compensation;

33 (3) The aid rendered involved the professional skill for which
34 the individual was licensed;

35 (4) The aid was rendered to assist a person injured as a result
36 of the disaster; and



1 (5) The individual is registered under this section with the
2 Center for Health Protection of the Division of Health of the Department of
3 Health and Human Services.

4 (b) The immunity in subsection (a) of this section does not preclude
5 liability for civil damages as a result of gross negligence or willful
6 misconduct by the individual.

7 (c) The State Board of Health shall promulgate rules to implement this
8 section.

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