PA Title 42, Judicial Procedure, Chapter 83

8331. Medical good Samaritan civil immunity.

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8331. Medical good Samaritan civil immunity.
   (a) General rule.--Any physician or any other practitioner of the healing arts or any registered nurse, licensed by any state, who happens by chance upon the scene of an emergency or who arrives on the scene of an emergency by reason of serving on an emergency call panel or similar committee of a county medical society or who is called to the scene of an emergency by the police or other duly constituted officers of a government unit or who is present when an emergency occurs and who, in good faith, renders emergency care at the scene of the emergency, shall not be liable for any civil damages as a result of any acts or omissions by such physician or practitioner or registered nurse in rendering the emergency care, except any acts or omissions intentionally designed to harm or any grossly negligent acts or omissions which result in harm to the person receiving emergency care.
   
   (b) Definition.--As used in this section "good faith" shall include, but is not limited to, a reasonable opinion that the immediacy of the situation is such that the rendering of care should not be postponed until the patient is hospitalized.

8331.2. Good Samaritan civil immunity for use of automated external defibrillator.
   (a) General rule.--Any person who in good faith acquires and maintains an AED or uses an AED in an emergency shall not be liable for any civil damages as a result of any acts or omissions by an individual using the AED, except if acts or omissions intentionally designed to harm or any grossly negligent acts or omissions result in harm to the individual receiving the AED treatment.
   
   (b) Requirements.--Any person who acquires and maintains an AED for use in accordance with this section shall:
(1) Ensure that expected AED users receive training pursuant to subsection (c).
(2) Maintain and test the AED according to the manufacturer's operational guidelines.
(3) Provide instruction requiring the user of the AED to utilize available means to immediately contact and activate the emergency medical services system.
(4) Assure that any appropriate data or information is made available to emergency medical services personnel or other health care providers as requested.

(c) Training.--For purposes of this section, expected AED users shall complete training in the use of an AED consistent with American Red Cross, American Heart Association or other national standards as identified and approved by the Department of Health in consultation with the Pennsylvania Emergency Health Services Council.

(d) Obstruction of emergency medical services personnel.--Nothing in this section shall relieve a person who uses an AED from civil damages when that person obstructs or interferes with care and treatment being provided by emergency medical services personnel or a health professional.

(e) Exception.--(Deleted by amendment).

(f) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:
   "Automated external defibrillator" or "AED." A portable device that uses electric shock to restore a stable heart rhythm to an individual in cardiac arrest.
   "Emergency." A situation where an individual is believed to be in cardiac arrest or is in need of immediate medical attention to prevent death or serious injury.
   "Good faith." Includes a reasonable opinion that the immediacy of the situation is such that the use of an AED should not be postponed until emergency medical services personnel arrive or the person is hospitalized.

(Dec. 15, 1998, P.L.949, No.126, eff. 60 days; July 5, 2012, P.L.1081, No.125, eff. 60 days)

Cross References. Section 8331.2 is referred to in section 5483 of Title 20 (Decedents, Estates and Fiduciaries). 8331.3. Criminal victim aid good Samaritan civil immunity.

(a) General rule.--Any person who provides or obtains or attempts to provide or obtain assistance for a victim of a personal injury crime at the scene of the personal injury crime or attempted personal injury crime shall not be liable for any...
civil damages as a result of any acts or omissions in providing or obtaining or attempting to provide or obtain assistance, except any acts or omissions intentionally designed to harm or any acts or omissions that constitute gross negligence or willful, wanton or reckless conduct.

(b) Definitions.--The terms "personal injury crime" and "victim" shall have the same meanings given to them in section 103 of the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act.

(Dec. 20, 2000, P.L.811, No.113, eff. 60 days; Oct. 31, 2003, P.L.200, No.31, eff. 60 days)

Cross References. Section 8331.3 is referred to in sections 8332.7, 8332.8 of this title.

8332. Emergency response provider and bystander good Samaritan civil immunity.

(a) General rule.--Any person, including an emergency response provider, whether or not trained to practice medicine, who in good faith renders emergency care, treatment, first aid or rescue at the scene of an emergency event or crime or who moves the person receiving such care, first aid or rescue to a hospital or other place of medical care shall not be liable for any civil damages as a result of rendering such care, except in any act or omission intentionally designed to harm or any grossly negligent acts or omissions which result in harm to the person receiving emergency care or being moved to a hospital or other place of medical care.

(b) Exceptions.--(Deleted by amendment).

(c) Exception.--This section shall not relieve a driver of a vehicle, including an ambulance or other emergency rescue vehicle, from liability arising from an operation or use of such vehicle pursuant to subsection (a).

(d) Definition.--For the purposes of this section, the term "emergency response provider" includes Federal, State and local emergency public safety, law enforcement, emergency response, emergency medical services personnel, response teams, agencies and authorities, excluding hospital emergency facilities and related personnel.

(July 1, 1978, P.L.697, No.122, eff. 60 days; July 5, 2012, P.L.1081, No.125, eff. 60 days)

REFERENCE: http://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/42/42.HTM