

Introduced: 5/1/85  
Referred: Labor & Commerce,  
Health, Education & Social Services  
and Judiciary

1 IN THE HOUSE

BY MARROU

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HOUSE BILL NO. 418

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to liability for providing emergency  
medical care."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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\* Section 1. AS 08.64.366 is amended to read:

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Sec. 08.64.366. LIABILITY FOR SERVICES RENDERED BY A PHYSICIAN-  
11 TRAINED MOBILE INTENSIVE CARE PARAMEDIC. An [NO] act or omission of a  
12 physician-trained mobile intensive care paramedic done or omitted in  
13 good faith while rendering emergency [LIFESAVING] service to a person  
14 who is in need of immediate aid in order to avoid serious harm or  
15 [DANGER OF] loss of life does not [SHALL] impose any liability upon  
16 the physician-trained mobile intensive care paramedic, the supervising  
17 physician, a hospital, the officers, members of the staff, nurses, or  
18 other employees of a hospital or upon a federal, state, borough, city  
19 or other local governmental unit or upon other employees of a govern-  
20 mental unit; however, this section does not relieve a physician or a  
21 hospital of a duty otherwise imposed by law upon the physician or  
22 hospital for the designation or training of a physician-trained mobile  
23 intensive care paramedic or for the provision or maintenance of equip-  
24 ment to be used by the physician-trained mobile intensive care para-  
25 medic.

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\* Sec. 2. AS 18.08.086(a) is amended to read:

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(a) A [NO] person certified under AS 18.08.082, or a person or  
public agency that [WHICH] employs, sponsors or controls the activ-  
ities of persons certified under AS 18.08.082, who administers

1 emergency medical services to an injured or sick person is not [MAY  
2 BE] liable for civil damages as a result of an act or omission in  
3 administering those services, if done in good faith and if the [LIFE  
4 OF THE] injured or sick person is in immediate danger of serious harm  
5 or death. This subsection does not preclude liability for civil  
6 damages that are [WHICH IS] the proximate result of gross negligence  
7 or intentional misconduct, nor preclude imposition of liability on a  
8 person or public agency that [WHICH] employs, sponsors, or controls  
9 the activities of persons certified under AS 18.08.082 if the act or  
10 omission is a proximate result of a breach of duty to act created  
11 under this chapter. For the purposes of this subsection, "gross  
12 negligence" means reckless, wilful, or wanton misconduct.