



LAWS OF ALASKA

1986

Source

HB 418

Chapter No.

122

AN ACT

Relating to liability for providing emergency medical care.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 8, 1986
Actual Effective Date: September 6, 1986

AN ACT

Relating to liability for providing emergency medical care.

* Section 1. AS 08.64.366 is amended to read:

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

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

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

Chapter 122

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.
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