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January 30, 2018

The Honorable Marsha Blackburn  
U.S. House of Representatives  
2266 Rayburn House Office Building  
Washington, D.C. 20515

Dear Representative Blackburn:

On behalf of the Emergency Nurses Association (ENA) and our more than 42,000 members, I am writing to express our support for H.R. 1876, the Good Samaritan Health Professionals Act. This important legislation will help expand liability protections for health professionals who volunteer during disasters or public health emergencies.

As you know, our nation is affected by disasters that represent serious threats to the lives and well-being of millions of Americans. Hurricanes, wildfires, floods, tornadoes and earthquakes require the services of qualified health professionals to volunteer during federally-designated disasters to help those affected. Federal and state laws should work to encourage volunteerism by removing restrictions that currently serve as barriers to health professionals volunteering.

Current liability protections provided by the Volunteer Protection Act shield volunteers who are affiliated with a qualified nonprofit or governmental organization from civil claims of ordinary negligence. However, volunteers who are not affiliated with a nonprofit or governmental entity receive no such protections under federal law. Exposure to legal liability serves as an important disincentive to health care professionals from volunteering at the very time their expertise and skills are most needed.

The Good Samaritan Health Professionals Act would amend current law to provide limited liability protection against both federal and state civil actions for volunteering health professionals during federally-declared disasters and public health emergencies. To be eligible, the health professional must be providing care during the period of the disaster, serving as a volunteer and acting in the good faith belief that the individual being treated requires treatment. The bill specifically does not provide protections against liability for cases of willful or criminal conduct, gross negligence or if the professional was under the influence of drugs or alcohol.



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As professionals on the frontlines of our nation's health care system, emergency nurses are critical to providing lifesaving emergency care, including to victims of disasters or public health emergencies. We would like to thank you for introducing this legislation and for your leadership on this critical issue. If you have any questions, please contact ENA's Chief Government Relations Officer, Richard Mereu, at 202-741-9373.

Sincerely,

A handwritten signature in black ink that reads 'Jeff Solheim'.

Jeff Solheim, MSN, RN, CEN, TCRN, CFRN, FAEN, FAAN  
2018 ENA President