

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 48

By: Senators M. Johnson, C. Tucker

By: Representative Pilkington

For An Act To Be Entitled

AN ACT TO AMEND THE "GOOD SAMARITAN" LAW TO INCLUDE TO CERTAIN PERSONS AND NONPROFIT ORGANIZATION WHO PROVIDE SUICIDE PREVENTION INTERVENTIONS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE "GOOD SAMARITAN" LAW TO INCLUDE TO CERTAIN PERSONS AND NONPROFIT ORGANIZATION WHO PROVIDE SUICIDE PREVENTION INTERVENTIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-95-101 is amended to read as follows:

17-95-101. "Good Samaritan" law – Definition.

(a) Any healthcare professional under the laws of the State of Arkansas who in good faith lends emergency care or assistance without compensation at the place of an emergency or accident ~~shall not be~~ is not liable for any civil damages for acts or omissions performed in good faith so long as any act or omission resulting from the rendering of emergency assistance or services was not grossly negligent or willful misconduct.

(b) Any person who is not a healthcare professional who is present at an emergency or accident scene and who:

(1) Believes that the life, health, and safety of an injured person or a person who is under imminent threat of danger could be aided by reasonable and accessible emergency procedures under the circumstances



existing at the scene thereof; and

(2) Proceeds to lend emergency assistance or service in a manner calculated in good faith to lessen or remove the immediate threat to the life, health, or safety of such a person, ~~shall not be held~~ is not liable ~~in~~ for civil damages in any action in this state for any act or omission resulting from the rendering of emergency assistance or services unless the act or omission was not in good faith and was the result of gross negligence or willful misconduct.

(c)(1) A person who, without compensation, renders suicide prevention interventions at the scene of a threatened suicide, for and at the request of a nonprofit organization, is not liable for civil damages in any action in this state for any act or omission resulting from the rendering of suicide prevention intervention unless the act or omission was not in good faith and was the result of gross negligence or willful misconduct.

(2) A nonprofit organization that requests, sponsors, or participates in the providing of services under circumstances described in subdivision (c)(1) of this section is not liable for civil damages in any action in this state for any act or omission resulting from the rendering of suicide prevention intervention unless the act or omission was not in good faith and was the result of gross negligence or willful misconduct.

(d) A ~~No~~ healthcare professional who in good faith and without compensation renders voluntary emergency assistance to a participant in a school athletic event or contest at the site thereof or during transportation to a healthcare facility for an injury suffered in the course of the event or contest ~~shall be~~ is not liable for any civil damages as a result of any acts or omissions by that healthcare professional in rendering the emergency care. The immunity granted by this subsection shall not apply in the event of an act or omission constituting gross negligence.

~~(d)~~(e) For the purposes of this section, "healthcare professional" means a licensed physician, chiropractic physician, dentist, optometric physician, podiatric physician, and any other licensed healthcare professional.