



**Statement of
American College of Surgeons**

**To the Subcommittee on Health
Committee on Energy and Commerce
United States House of Representatives**

RE: Good Samaritan Health Professionals Act of 2017

May 17, 2017

On behalf of the more than 80,000 members of the American College of Surgeons, we would like to thank you for the opportunity to submit testimony in support of the *Good Samaritan Health Professionals Act of 2017* (H.R. 1876), legislation that would ensure disaster victims' access to medically necessary care in a declared emergency.

In recent years, the U.S. has witnessed large scale disasters that could only be described as catastrophic and which were among the worst in our nation's history. The resulting devastation triggered mass relief efforts by local, state, and federal government agencies, as well as private organizations and individual health care providers.

These disasters exposed gaps in federal and state laws intended to encourage health care professionals to volunteer by providing limited liability protection. Often after a disaster the most pressing need is for trained health care volunteers. After Hurricane Katrina, for example, thousands of volunteer health care professionals rushed to the scene to provide desperately needed services. Unfortunately, many of them were needlessly delayed in providing care or, in some cases, turned away due to inconsistent state and federal volunteer protection laws as well as confusion and uncertainty about the application of these laws. Similar problems were reported following the terrorist attacks on September 11, 2001 and also following the devastation from Hurricane Rita.

The *Good Samaritan Health Professionals Act of 2017*, introduced in the House by Representatives Marsha Blackburn (R-TN) and David Scott (D-GA), removes this barrier by providing civil immunity to health care professionals who volunteer in response to a declared national disaster. H.R. 1876 uses the same civil immunity standard provided to other volunteers under the *Volunteer Protection Act of 1997* (P.L. 105-19) and still allows individuals to hold health professionals accountable if the harm is caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious flagrant indifference to the rights or safety of the individual harmed.

Providing a clear, uniform federal Good Samaritan standard for volunteer health care professionals who respond to large scale disasters will greatly facilitate the rapid deployment of needed health care services to disaster victims in the future and can greatly decrease loss of life and improve outcomes for patients who require urgent medical assistance. Surgeons in particular, with their training in trauma and critical care, play a major role in the health care community's response to most disaster situations. Properly trained volunteers are essential in such circumstances.

H.R. 1876 would provide volunteer health professionals with the same level of civil immunity that they have in their home state when they provide urgently needed care in a declared emergency. Removing barriers that prohibit licensed surgeons and other qualified health care professionals from voluntarily administering medically necessary care during disasters will ensure citizens access to high-quality surgical services in the event of a crisis.