

## Displaying information for All Roles located in Vermont for All Scenarios

### Rights, Privileges, and Obligations of Out-of-State Firefighter Providing Aid

20 V.S.A. 2965

Firefighter

When firefighters from other states provide aid in Vermont following a request for assistance, the firefighters enjoy the same workers' compensation benefits, protections from being legally responsible, and licensure privileges and obligations as the firefighters would otherwise have in their home state as long as the firefighter laws in the firefighters' home state are similar to Vermont's laws.

### Liability: Use of AED

18 V.S.A. 907(d)

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

A health care provider who is not acting in their professional capacity and owns an AED, trains others in the operation of an AED, or uses an AED, in good faith, will not be held legally responsible for acting or for failing to act. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

### Liability: Volunteer Fire Department Official

20 V.S.A. 2922

Volunteer / Other, Firefighter

An official for a volunteer fire department who extinguishes a fire will not be held legally responsible for acting or for failing to act. A member of a volunteer fire department who acts under the discretion of a supervisor will not be held legally responsible for acting or for failing to act.

### Liability: Food Donation

12 V.S.A. 5762

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual who, in good faith, donates canned or perishable food to a person or a nonprofit organization will not be held legally responsible for the condition of the food as long as the individual checked the condition of the food before donating it and was not aware or had no reason to be aware of the food's poor condition.

### Powers, Duties, Rights, Privileges, and Immunities: Firefighters Providing Aid in Another Jurisdiction

20 V.S.A. 2964

Volunteer / Other, Firefighter

When Vermont firefighters are providing aid in a different municipality inside Vermont, the firefighters enjoy the same powers, duties, rights, privileges, and immunities as the firefighters would otherwise have in their home town.

### **Good Samaritan Law: Care for Animal**

26 V.S.A. 2405

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

When an emergency declaration is in effect or at the scene of an accident, an individual who, without compensation, provides care to an animal during will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

Generally, Good Samaritan laws only offer protection for those individuals who provide care during spontaneous emergencies unrelated to volunteer deployment.

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### **Good Samaritan Law**

12 V.S.A. 519

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual who recognizes that another person's life is in grave danger must provide reasonable assistance or care to that person as long as such assistance or care does not create further risk of harm. They will not be held legally responsible for providing reasonable assistance or care without compensation. They can be held legally responsible if acting with extreme carelessness or if refusing to provide reasonable assistance or care. They can be fined up to \$100 for refusing to provide reasonable assistance or care.

Generally, Good Samaritan laws only offer protection for those individuals who provide care during spontaneous emergencies unrelated to volunteer deployment.

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### **Temporary Emergency License: Elevator and Lift Technician**

CVR 28-070-005 (Section 3.9)

Volunteer / Other

When an emergency declaration is in effect, an out-of-state certified or licensed elevator mechanic, lift mechanic, or elevator inspector can provide lift-related assistance in Vermont immediately and without a license where local resources are overwhelmed. They must seek a temporary emergency license from the Elevator Safety Review Board within 5 days of beginning work. The Elevator Safety Review Board can give the temporary emergency license holder the same rights and privileges as a typical elevator license holder.

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### **Liability: Administering Opioid Antagonist**

18 V.S.A. 4240(d)

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual can administer an opioid antagonist if the individual believes, in good faith, a person is experiencing an opioid overdose. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

**Liability: Veterinarian**

26 V.S.A. 2404

Veterinarian

A Vermont-licensed veterinarian who, in good faith, reports a suspected case of animal cruelty, provides medical attention to an animal brought to the veterinarian for evaluation, or inspects a premises under a quarantine order will not be held legally responsible.

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**Liability: Volunteer Assisting at Nonprofit Clinic**

20 V.S.A. 3812

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

A nonprofit volunteer who gives rabies shots to animals will not be held legally responsible for injury to the animals or injuries to people caused by the animals.

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**Liability: Providing Shelter**

20 V.S.A. 29

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual who owns property allows others to use the property for shelter or to provide health-related services during a practice or actual emergency will not be held legally responsible for injury, death, or damage resulting from such use of the property.

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**Liability: Service to Nonprofit Organization**

12 V.S.A. 5781

Volunteer / Other

A director, officer, or trustee of a nonprofit organization will not be held legally responsible for official actions taken by that individual or for situations where an employee, director, officer, or trustee acted or failed to act.

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**Liability: Volunteer Ambulance Personnel**

24 V.S.A. 2687

EMT

A member of an ambulance service who, voluntarily, provides emergency medical treatment will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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**Liability: Involvement in Emergency Management Activity**

20 V.S.A. 20

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual involved in emergency management activities (including providing training or equipment) will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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**Liability: Pharmacist Use of Opioid Antagonist**

18 V.S.A. 4240(e)

Pharmacist

A pharmacist who educates others about opioid overdose or purchased, acquires, or distributes an opioid antagonist will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm.

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**Liability: Saving Animal in Car**

13 V.S.A. 386

Volunteer / Other, Firefighter, Veterinarian

A humane officer or a member of a fire and rescue service who uses reasonable force to remove an animal from a motor vehicle when it is in danger will not be held legally responsible for any damage.

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**Liability: Providing Aid During Hazardous Materials Accident**

12 V.S.A. 5783

Volunteer / Other

An individual who is qualified to deal with hazardous materials and who, without compensation, provides on-site emergency assistance or advice during a discharge, or imminent discharge, of hazardous materials will not be held legally responsible. They can be held legally responsible if the individual caused the discharge, provided assistance or advice not in the immediate vicinity of the discharge, or acted with extreme carelessness or intent to cause harm.

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**Temporary Emergency License: Elevator and Lift Technician**

CVR 28-070-005 (Section 3.9)

Volunteer / Other

When an emergency declaration is in effect, an out-of-state certified or licensed elevator mechanic, lift mechanic, or elevator inspector can provide lift-related assistance in Vermont immediately and without a license where local resources are overwhelmed. They must seek a temporary emergency license from the Elevator Safety Review Board within 5 days of beginning work. The Elevator Safety Review Board can give the temporary emergency license holder the same rights and privileges as a typical elevator license holder.

**License Reciprocity: Certification in Emergency Medicine**

18 V.S.A. 906b

Volunteer / Other, EMT

An individual who has a certification in emergency medicine is considered to have a license at that same skill level until the Vermont Department of Health formally issues a license.

**Rights, Privileges, and Obligations of Out-of-State Firefighter Providing Aid**

20 V.S.A. 2965

Firefighter

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**Powers, Duties, Rights, Privileges, and Immunities: Firefighters Providing Aid in Another Jurisdiction**

20 V.S.A. 2964

Volunteer / Other, Firefighter

When Vermont firefighters are providing aid in a different municipality inside Vermont, the firefighters enjoy the same powers, duties, rights, privileges, and immunities as the firefighters would otherwise have in their home town.

**Licensure Reciprocity: Providing Care Without License**

26 V.S.A. 1753(b)

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

While awaiting the arrival of a physician or surgeon, an individual can provide medical aid, assistance, or relief at the scene of an emergency without a license.

**Temporary Emergency License: Elevator and Lift Technician**

CVR 28-070-005 (Section 3.9)

Volunteer / Other

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**Health Officer Can Issue Emergency Health Orders**

18 V.S.A. 127

Government Public Health

A health officer can issue an emergency health order, after writing out the reasons for its necessity, in order to prevent or react to an imminent and substantial public health threat.

**Rights, Privileges, and Obligations of Out-of-State Firefighter Providing Aid**

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Firefighter

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**Workers' Compensation: Out-of-State Injury**

21 V.S.A. 619

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

An individual who is employed in Vermont and suffers injury from an accident while performing the individual's job functions out-of-state will be entitled to receive Vermont workers' compensation.

**Workers' Benefits: American Red Cross Volunteer Employment Leave**

3 V.S.A. 265

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

A state employee who is a certified disaster relief services volunteer with the American Red Cross can participate in paid disaster relief efforts up to 15 days per year if so requested by the American Red Cross as long as the disaster relief efforts will be provided in Vermont following a declared emergency. The individual will not lose seniority, vacation time, sick time, or overtime privileges just by virtue of volunteering within this time frame. The individual will not be eligible for workers' compensation through the state of Vermont by virtue of volunteering.

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**Rights, Privileges, and Obligations of Out-of-State Firefighter Providing Aid**

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Firefighter

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**Workers' Compensation: Volunteer**

20 V.S.A. 21

Other medical professional, Volunteer / Other, Nurse, Physician, EMT, Government Public Health, Firefighter, Law Enforcement, Veterinarian, Dentist, Pharmacist, Social Worker, Mental and Behavioral Health Professional

A volunteer who, without compensation, provides services at the request of a state agency is entitled to workers' compensation.

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**Powers, Duties, Rights, Privileges, and Immunities: Firefighters Providing Aid in Another Jurisdiction**

20 V.S.A. 2964

Volunteer / Other, Firefighter

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**Relevant Compacts**

- Interstate Civil Defense and Disaster Compact
- Emergency Management Assistance Compact
- Northeastern Interstate Forest Fire Protection Compact