

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 633

Introduced by Assembly Member Salas

February 20, 2013

An act to add Section 1799.103 to the Health and Safety Code, relating to ~~public health~~ emergency medical services.

LEGISLATIVE COUNSEL'S DIGEST

AB 633, as amended, Salas. ~~Public health: veterans access to health care services.~~ *Emergency medical services: civil liability.*

Under existing law, a person who, in good faith and not for compensation, renders emergency medical or nonmedical care or assistance at the scene of an emergency is not liable for civil damages resulting from any act or omission, except as specified. Existing law further provides that a person who has completed a basic cardiopulmonary resuscitation course that complies with specified standards, and who in good faith renders emergency cardiopulmonary resuscitation at the scene of an emergency is not liable for any civil damages as a result of any act or omission, except as specified. Existing law provides that a health care provider, including any licensed clinic, health dispensary, or health facility, is not liable for professional negligence or malpractice for any occurrence or result solely on the basis that the occurrence or result was caused by the natural course of a disease or condition, or was the natural or expected result of reasonable treatment rendered for the disease or condition.

This bill would prohibit an employer from having a policy precluding an employee from providing emergency medical services, including, but not limited to, cardiopulmonary resuscitation, in response to a

medical emergency. The bill would provide that an employer is not liable for any civil damages resulting from an act or omission of its employee who, in good faith and not for compensation, renders emergency care at the scene of an emergency.

~~Existing law establishes the Office of Patient Advocate in the California Health and Human Services Agency and requires the office to provide assistance to and advocate on behalf of persons eligible for health care coverage. Existing law requires that the goal of the office be to help those individuals secure the health care services to which they are entitled or for which they are eligible under the law.~~

~~This bill would state the intent of the Legislature to enact legislation that would facilitate the access by veterans to health care coverage and health care services, including the delivery of health care services via telehealth.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1799.103 is added to the Health and
- 2 Safety Code, to read:
- 3 1799.103. (a) An employer shall not adopt or enforce a policy
- 4 precluding an employee from providing emergency medical
- 5 services, including, but not limited to, cardiopulmonary
- 6 resuscitation, in response to a medical emergency.
- 7 (b) An employer shall not be liable for any civil damages
- 8 resulting from an act or omission of its employee who, in good
- 9 faith and not for compensation, renders emergency care at the
- 10 scene of an emergency.
- 11 ~~SECTION 1. It is the intent of the Legislature to enact~~
- 12 ~~legislation that would facilitate the access by veterans to health~~
- 13 ~~care coverage and health care services, including the delivery of~~
- 14 ~~health care services via telehealth.~~