



March 24, 2020

COVID-19 VOLUNTEER LIABILITY UPDATE

Yesterday, Governor Cuomo issued an Executive Order addressing various COVID-19 issues. Included was the following provision confirming that medical professionals who provide volunteer support in response to the COVID-19 outbreak will be exempt from civil liability, except for gross negligence - essentially a Good Samaritan provision. When the Governor called this weekend for mental health professionals to volunteer, NYSPA immediately contacted the Governor's office and informed them we would encourage our members to participate and we also requested that the Governor take action confirming Good Samaritan status for such volunteers.

If any NYSPA member has volunteered, please let us know by e-mail. We would like to get the count.

Regarding liability the Executive Order also states:

"Subdivision (2) of section 6527, Section 6545, and Subdivision (1) of Section 6909 of the Education Law, to the extent necessary to provide that all physicians, physician assistants, specialist assistants, nurse practitioners, licensed registered professional nurses and licensed practical nurses shall be immune from civil liability for any injury or death alleged to have been sustained directly as a result of an act or omission by such medical professional in the course of providing medical services in support of the State's response to the COVID-19 outbreak, unless it is established that such injury or death was caused by the gross negligence of such medical professional;"

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