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HOUSE BILL 1213

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State of Washington                      54th Legislature                      1995 Regular Session

By Representatives Brumsickle, Grant, Cody, Basich and McMahan

Read first time 01/17/95. Referred to Committee on Health Care.

1            AN ACT Relating to training of emergency service medical personnel;  
2 amending RCW 18.71.210 and 18.71.215; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 18.71.210 and 1989 c 260 s 4 are each amended to read  
5 as follows:

6            No act or omission of any physician's trained mobile intensive care  
7 paramedic, intravenous therapy technician, or airway management  
8 technician, as defined in RCW 18.71.200 as now or hereafter amended,  
9 any emergency medical technician or first responder as defined in RCW  
10 18.73.030, done or omitted in good faith while rendering emergency  
11 medical service under the responsible supervision and control of a  
12 licensed physician or an approved medical program director or  
13 delegate(s) to a person who has suffered illness or bodily injury shall  
14 impose any liability upon:

15            (1) The trained mobile intensive care paramedic, intravenous  
16 therapy technician, airway management technician, emergency medical  
17 technician, or first responder;

18            (2) The medical program director;

19            (3) The supervising physician(s);

1 (4) Any hospital, the officers, members of the staff, nurses, or  
2 other employees of a hospital;

3 (5) Any training agency or training physician(s);

4 (6) Any licensed ambulance service; or

5 (7) Any federal, state, county, city or other local governmental  
6 unit or employees of such a governmental unit.

7 This section shall apply to an act or omission committed or omitted  
8 in the performance of the actual emergency medical procedures and not  
9 in the commission or omission of an act which is not within the field  
10 of medical expertise of the physician's trained mobile intensive care  
11 paramedic, intravenous therapy technician, airway management  
12 technician, emergency medical technician, or first responder, as the  
13 case may be.

14 This section shall ~~((not relieve a physician or a hospital of any  
15 duty otherwise imposed by law upon such physician or hospital for the  
16 designation or training of a physician's trained mobile intensive care  
17 paramedic, intravenous therapy technician, airway management  
18 technician, emergency medical technician, or first responder, nor shall  
19 this section relieve any individual or other entity listed in this  
20 section of any duty otherwise imposed by law for the provision or  
21 maintenance of equipment to be used by the physician's trained mobile  
22 intensive care paramedics, intravenous therapy technicians, airway  
23 management technicians, emergency medical technicians, or first  
24 responders))~~ apply also, as to the entities and personnel described in  
25 subsections (1) through (7) of this section, to any act or omission  
26 committed or omitted in good faith by such entities or personnel in  
27 rendering services at the request of an approved medical program  
28 director in the training of emergency service medical personnel for  
29 certification or recertification pursuant to this chapter.

30 This section shall not apply to any act or omission which  
31 constitutes either gross negligence or willful or wanton misconduct.

32 **Sec. 2.** RCW 18.71.215 and 1990 c 269 s 20 are each amended to read  
33 as follows:

34 The department of health shall defend and hold harmless approved  
35 medical program directors, delegates, or agents, including but not  
36 limited to hospitals and hospital personnel in their capacity of  
37 training emergency service medical personnel for certification or  
38 recertification pursuant to this chapter at the request of such

1 directors, for any act or omission committed or omitted in good faith  
2 in the performance of (~~his or her~~) their duties.

3 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
4 preservation of the public peace, health, or safety, or support of the  
5 state government and its existing public institutions, and shall take  
6 effect immediately.

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