

Liability Form for Volunteer Signature

Persons who volunteer to serve in a Medical Reserve Corp Unit (MRCU) could be protected from liability for injuries to persons treated by the MRCU through several Virginia statutes as well as the Federal Volunteer Protection Act. These statutes include:

- ∅ **Virginia Code §§ 8.01- 225 et seq., the “Good Samaritan Act”**
 - MRCU volunteers should be immune from liability for harm caused when providing emergency care to ill or injured persons at the scene of an accident, fire or any life-threatening emergency.

- ∅ **Virginia Code §§ 44-146.13 et seq., the “Commonwealth of Virginia Emergency Services and Disaster Law of 2000”**
 - During a declared emergency, MRCU volunteers will be immune from liability for harm caused when providing medical and health services so long as they are doing so under supervision of the MRCU.
 - Additionally, during a declared emergency, those volunteers who are licensed or certified to render health care services will receive immunity when they gratuitously render aid using their skills.

- ∅ **Virginia Code §§ 2.2-3600 et seq., the “Virginia State Government Volunteers Act”**
 - MRCU volunteers may enjoy the protection of the Commonwealth’s sovereign immunity if they are deemed to be a volunteer of a state agency.

- ∅ **Volunteer Protection Act**
 - Volunteers will not be liable for economic harm caused during the performance of volunteer activities so long as the activities are within the scope of the volunteer’s responsibilities to the MRCU.

- ∅ **Virginia Code § 32.1-48.016 “Immunity from liability” – March 2005, Effective July 1, 2005**
 - Any person, *including any person who serves in a Medical Reserve Corps (MRC) unit or on a Community Emergency Response Team (CERT) established under VirginiaCORPS*, who, in good faith and in the performance of his duties, acts in compliance with this article and the Board of Health’s regulations shall not be liable for any civil damages for any act or omission resulting from such actions unless such act or omission was the result of gross negligence or willful misconduct.

In addition, Virginia courts have established the doctrines of charitable immunity and sovereign immunity. Both of these doctrines are partially applicable to MRC volunteers. Under the doctrine of charitable immunity, MRCU volunteers may be immune from liability for harm caused while acting within the scope of their duties to the MRCU because the MRCU is a not-for-profit organization. Sovereign immunity may immunize MRCU volunteers if a court finds that they are agents of the Commonwealth. None of these statutes or doctrines was specifically written with MRCU volunteers in mind. Therefore, they do not provide absolute immunity.

*If you would like to see the full version of these Virginia Codes go to <http://leg1.state.va.us/000/src.htm> and enter the code number.

I acknowledge that I have read and understand the material contained in this document.

Volunteer Signature: _____

Printed Name: _____

Witness Signature: _____

Witness Printed Name: _____

Date: _____

PLEASE RETURN COMPLETED, **SIGNED** RELEASE TO GPWMRC COORDINATOR, C/O VOLUNTARY ACTION CENTER, 9248 CENTER STREET, MANASSAS, VA 20110 OR FAX TO (703) 369-5671. THANK YOU!