

**PROTECTIONS FOR VOLUNTEERS**

	<b>250.042 (4) Health care volunteers</b>	<b>UEVHPA (Uniform Emerg. Vol. Hlth. Practitioners Act)</b>	<b>166.03 (8) Local officers/vols.</b>	<b>166.03 (10)</b>	<b>166.09 Shelters</b>	<b>166.30 (Emer. Mngt. Assis. Cmpt.)</b>
<b>Protection Afforded</b>	<p>Covered individual and health care facility where individual provides services are state agents:</p> <ul style="list-style-type: none"> <li>• <b>Indemnified:</b> State pays damages and costs</li> <li>• Damages capped at \$250,000; punitive damages prohibited</li> <li>• DOJ may defend agent in civil, criminal or legal proceedings (if requested by DHS)</li> <li>• Claimant must file notice of claim with AG within specified time</li> </ul> <p>Covered individual is a state employee for purposes of <b>worker's compensation benefits</b></p>	<p>1. <b>Immunity</b> for act or omission while providing health or veterinary services</p> <p>2. <b>Immunity</b> from vicarious liability for act of omission of health or veterinary volunteer (only in Alternative A)</p> <p>If individual not otherwise eligible for <b>worker's compensation</b>, is deemed agent of state where providing volunteer services for the purpose of receiving worker's compensation benefits</p>	<ul style="list-style-type: none"> <li>• <b>Indemnified:</b> Local govt. pays damages and costs.</li> <li>• Damages capped at \$50,000; punitive damages prohibited</li> <li>• Local govt. provides defense counsel or pays defense costs</li> <li>• Claimant must file notice with local govt. within specified deadline.</li> </ul> <p><b>Worker's compensation benefits</b></p>	<p><b>Immunity</b> from liability for death or injury to persons, or damage to property</p>	<p><b>Immunity</b> for negligently causing death or injury to any person, or damage to property of person, on the real estate or premises for which grants privilege</p>	<p>1. Individual is an agent of the requesting state for tort liability and <b>immunity</b></p> <p>2. State is <b>immune</b> from liability for any act or omission performed in good faith on the part of state forces; and <b>immune</b> from liability for maintenance or use of equipment or supplies in connection with rendering of aid</p>
<b>Who is covered</b>	<p>Licensed in Wisconsin at some in previous 10 years as a: physician; physician assistant; podiatrist; registered nurse; practical nurse; nurse-midwife; dentist; pharmacist; psychologist; soc. worker; clinical soc. worker; marriage &amp; family therapist; professional counselor; school counselor; school psychologist; school soc. worker; nurse aide; veterinarian; certified respiratory care practitioner; substance abuse counselor, supervisor, or specialist</p> <p>* and has not had credential limited, suspended, or revoked</p>	<p>Individual licensed by this state or any other state to provide health, veterinary, funeral, cremation, cemetery, or mortuary services</p>	<p>Employees of local governments in scope of providing emergency services, and volunteers providing emergency services under direction of local government</p>	<p>Any person or entity that provides equipment, materials, facilities, labor or services</p>	<p>Any person or entity that owns or controls real estate or other premises and allows state or political subdivision to inspect, designate, or use premise for sheltering people</p>	<p>Officers or employees of a state that is party to the compact who render aid in another party state</p>

When Applicable	Actions during state of emergency declared by governor or by a county, city, village, or town	During state of emergency (leave to state to specify who may declare state of emergency)	Any time as part of an “emergency management program,” i.e. during state of emergency or planning for emergency	Actions in response to enemy action, natural or man-made disaster, or federally declared state of emergency, or during state of emergency declared by governor	During actual, impending, or practice attack	During state of emergency declared by governor of requesting state or during exercises or training for mutual aid
Conditions	<p>Conditions for individual:</p> <ol style="list-style-type: none"> <li>1. Provides only services that he or she is licensed or certified to provide.</li> <li>2. Provides services on behalf of a mass clinic (space arranged by local health dept. or DHS and operated during specified period in response to a public health emergency) or a health care facility.</li> <li>3. Services unpaid</li> </ol>	<ol style="list-style-type: none"> <li>1. Individual must: <ul style="list-style-type: none"> <li>• be registered</li> <li>• provide services for a host entity</li> <li>• work within scope of practice</li> </ul> </li> <li>2. Compensation permitted? <i>Alternative A:</i> No limit on compensation for volunteer (though can’t be both a resident of the state where providing services and employee of the host entity) <i>Alternative B:</i> \$500 limit on compensation to volunteer</li> <li>3. Applies only to negligent conduct</li> <li>4. Doesn’t apply to operation of a vehicle</li> </ol>	For volunteer, must be registered	<ol style="list-style-type: none"> <li>1. Acts under direction of governor, adjt. gen., or various other emerg. mngt. authorities, including DHS, if DHS is lead agency and local health department, if designated by DHS</li> <li>2. Does not apply to reckless or wanton acts or omissions or intentional misconduct</li> </ol>	<ol style="list-style-type: none"> <li>1. Owner/Controller of real estate/premises provides it free of charge</li> <li>2. Owner/Controller of real estate/premises provides notice of hidden dangers or safety hazards known to him or her that might result in death, injury, or loss of property</li> </ol>	Good faith