

GEORGIA DEPARTMENT OF PUBLIC HEALTH EMERGENCY VOLUNTEER LIABILITY FAQs

1. Who is considered an “emergency volunteer” in Georgia?

An “emergency volunteer” is someone who engages in an emergency management activity or provides services within their area of practice for no monetary or material compensation. It can include healthcare professionals as well as non-healthcare volunteers (lay volunteers).

2. What liability protection is afforded to “emergency volunteers” in Georgia?

Generally, emergency volunteers who assist in emergency management activities in Georgia, which may include public health emergencies and preparedness activities (e.g., training exercises and drills), are protected from liability for any injury or damage that may be caused as a result of the volunteer’s actions or inactions. Emergency volunteers who are members of a volunteer program run by a state or county agency *may* find protection under following state statutes:

- a. **O.C.G.A. § 38-3-35** “Georgia Emergency Management Act of 1981”
- b. **O.C.G.A. § 50-21-25** “Georgia Torts Claims Act”
- c. **O.C.G.A. § 51-1-29** “Good Samaritan Statute” Liability of persons rendering emergency care
- d. **O.C.G.A. § 51-1-29.1** Liability of voluntary health care providers and sponsoring organizations
- e. **O.C.G.A. § 51-1-29.2** “Corporate Good Samaritan Statute” Liability of persons or entities acting to prevent injury and damage resulting from catastrophic acts of nature

Actual legal protection will depend on the particular circumstances of the operation.

3. What are the limitations in the protection?

Liability protection does not extend to emergency volunteers who act with willful misconduct, gross negligence, or in bad faith.

4. What is the DPH Emergency Volunteer Agreement (DPH Form EP10001A)?

The **DPH Emergency Volunteer Agreement** is primarily used as a pre-registering tool to identify and register volunteers prior to an emergency event or preparedness activity. As this form is used to pre-register volunteers to assist in emergency management activities, it may not be the appropriate tool for registering volunteers for routine health department activities such as blood pressure screenings and well baby visits. DPH does not currently have a form that is used for these purposes, although counties and districts are free to create and use their own form if they wish.

5. Must Emergency Volunteer Agreement, DPH Form EP10001A, be signed in order for the volunteer to be protected under Georgia law?

No. A volunteer who is engaged in an emergency management activity, and who is a member of a program directed and controlled by a state or county volunteer program, will find protection under Georgia law with or without signing this form.

6. Are emergency volunteers covered under state law for workers’ compensation or personal injury loss?

No. Under Georgia law, volunteers are not eligible for workers compensation or for personal injury benefits with the state based on their enrollment in a volunteer program. Personal injury and workers compensation coverage may be available for volunteers through private volunteer programs or through the county.