

Connecticut's Good Samaritan Law

By: Michelle Kirby, Senior Legislative Attorney
January 11, 2024 | 2024-R-0009

Issue

Provide a summary of Connecticut's Good Samaritan Law. This report updates OLR report [2018-R-0227](#).

Summary

Connecticut, like most states, has Good Samaritan Laws with the overriding purpose of encouraging professionals and laypersons to help those in need of emergency medical assistance or first aid, even when the actor is under no legal obligation to do so. Although there are a few exceptions, the immunity shields volunteers from claims involving ordinary negligence only. Volunteers may be held liable for claims arising from acts of gross or wanton and willful negligence or intentional misconduct (see sidebar). The organizations for which a person volunteers or works may also be held liable, with exceptions (e.g., railroad companies and nonprofit organizations).

Under certain circumstances, the law provides protection against liability in cases where a person:

1. provides emergency medical assistance;
2. administers first aid;

“Ordinary negligence” is the failure to exercise the care that a prudent and reasonable person would (or would not) use under the same circumstances. (57A Am. Jur. 2d Negligence § 226).

“Gross negligence” generally signifies more than ordinary inadvertence or inattention, but less than a conscious indifference to consequences (Prosser on Torts, Gross Negligence).

“Willful or wanton negligence” is an act intentionally done that is unreasonable, taken in disregard of a risk known to the actor or so obvious that he or she must be taken to have been aware of it, and so great as to make it highly probable that harm would follow (Restatement (2nd) of Torts, § 500).

3. uses Epinephrine Cartridge Injectors (e.g., EpiPens);
4. prescribes or administers opioid antagonists (e.g., Narcan);
5. seeks emergency medical care for a drug overdose; or
6. rescues a child or animal from a motor vehicle.

There are other statutes that also provide protection against liability when, under certain circumstances, (1) a person or entity provides professional medical assistance or intervention in a child abuse or neglect case ([CGS § 17a-101e\(b\)](#)); (2) an architect provides architectural assistance during a civil preparedness emergency ([CGS § 20-298c](#)); or (3) food donors, including food relief organizations and supermarkets, donate food ([CGS § 52-557l](#)).

Providing Emergency Assistance

Medical Personnel

The law grants negligence immunity to the following people who voluntarily, gratuitously, and other than in the ordinary course of employment or practice, provide emergency assistance to people in need:

1. licensed physicians and dentists,
2. registered nurses and licensed practical nurses,
3. medical technicians,
4. those operating (a) cardiopulmonary resuscitators trained in CPR in accordance with American Red Cross or American Heart Association (AHA) standards and (b) automatic external defibrillator (AED) users, and
5. people providing or maintaining AEDs ([CGS § 52-557b\(a\)\(1\)](#)).

Starting October 1, 2022, for persons providing or maintaining an AED at a licensed health club, the law also provides civil immunity for the nonuse of the AED ([CGS § 52-557b\(a\)\(1\)](#)).

AED in a Cabinet With an Opioid Antagonist

By law, a person or entity that provides or maintains an AED in a cabinet that also contains an opioid antagonist used to treat or prevent a drug overdose, must not be liable for ordinary negligence for their acts or omissions in making the opioid antagonist available ([CGS § 52-557b\(a\)\(1\)](#)).

AED Malfunctioning

The law provides immunity from civil liability to physicians, dentists, and nurses who operate an AED for personal injury damages caused by the AED's malfunctioning, if the malfunctioning was not due to the provider's negligence. This applies to (1) physicians and dentists licensed in Connecticut or other states and (2) licensed practical nurses and registered nurses licensed in Connecticut, when any such professional operates an AED to provide emergency medical or professional assistance ([CGS § 52-557b\(a\)\(2\)](#)).

Teachers and School Personnel

The law also protects teachers and other school personnel who administer medication by injection in emergencies on school grounds, in school buildings, or at school functions. They must have completed both a first aid course that meets the training standards described below and one given by the school's medical advisor or a licensed physician ([CGS § 52-557b\(f\)](#)). The law does not require teachers or after-school personnel to render emergency first aid or administer medication by injection ([CGS § 52-557b\(g\)](#)).

Property Damage

The Good Samaritan Law also exempts from liability firefighters, police officers, or emergency medical service personnel who forcibly enter homes believing that a person inside needs emergency first aid. This includes protection from civil liability for damages incurred as a result of the forcible entry ([CGS § 52-557b\(g\)](#)).

Administering First Aid

Training Standards

The law establishes the organizations that may provide the first aid training required to qualify for immunity under the Good Samaritan statute. To receive protection from liability, the person must have successfully completed a course in first aid offered by the American Red Cross, the AHA, the National Ski Patrol, the Department of Public Health, any health director or by an organization using guidelines published by the AHA and the American Red Cross as certified by the organization or health director offering the course ([CGS § 52-557b](#)).

Individuals Protected From Liability

The following people who render emergency first aid are not liable for ordinary negligence if they have completed a course that meets the standards described above:

1. paid or volunteer firefighters or police officers;
2. teachers or other school personnel on school grounds, in school buildings, or at school functions;
3. ski patrol members;
4. lifeguards;
5. conservation officers;
6. patrol officers or special police officers of the Department of Energy and Environmental Protection;
7. emergency service personnel;
8. railroad employees (also provides immunity from liability for performing CPR); and
9. people operating AEDs ([CGS § 52-557b\(a\),\(b\)&\(c\)](#)).

As exceptions to the general rule that the law does not protect the organizations for which a person volunteers or works, railroad companies are immune from suits from individuals claiming that they negligently trained the person who provided the assistance or claiming negligence in providing the equipment ([CGS § 52-557b\(d\)](#)).

Using Epinephrine Cartridge Injectors

Trained Volunteers

Volunteers who have (1) completed a first aid course meeting the training standards described above or (2) been trained to use cartridge injectors by a licensed physician, physician assistant, or advanced practice or registered nurse are immune from liability when they use these devices in emergencies ([CGS § 52b-557b\(h\)](#)).

Nonprofit Organizations' Volunteers and Employees

The law provides the same immunity to volunteers associated with, and employees of, programs offered by federally tax-exempt, nonprofit corporations for children under age 17 when the user has been trained to use the injector by one of the medical professionals listed above, has parental permission, and the person

Cartridge Injectors

A “cartridge injector” is an automatic prefilled cartridge injector or similar automatic injectable equipment used to deliver epinephrine in a standard dose for emergency first aid response to allergic reactions ([CGS § 52-557b\(e\)\(1\)](#)).

in need of the medication is a program participant ([CGS § 52b-557b\(e\)\(2\)](#)).

Nonprofit corporations are immune from liability based on a claim that they negligently trained volunteers regarding epinephrine cartridge use ([CGS § 52-557b\(e\)\(3\)](#)).

Staff Members of Before- or After-School Programs, Day Camps, or Child Care Facilities

In emergencies, people identified as staff members of before- or after-school programs, day camps, or child care facilities are immune from claims arising from their use of such devices on anyone in distress ([CGS § 52-557b\(h\)](#)). It appears that the training described above is not required of such staff for the immunity to apply ([CGS § 52-557b\(e\)\(2\)&\(h\)](#)).

School Bus Drivers

The law grants school bus drivers immunity from civil liability that may arise from administering a cartridge injector to a student with a medically diagnosed allergic condition requiring prompt treatment on or near a school bus ([CGS § 52-557b\(i\)](#)).

Prescribing Practitioners

Under the law, a licensed health care provider authorized to prescribe an epinephrine auto-injector is immune from civil and criminal liability for (1) establishing a medical protocol with an authorized entity and (2) any subsequent use of the epinephrine auto-injector acquired or maintained by the authorized entity. A prescribing practitioner who establishes a medical protocol with an authorized entity according to the law is deemed not to have violated his or her professional standard of care ([CGS § 19a-909\(f\)\(1\)](#)).

Authorized Entities and Trained Employees

The law grants immunity from civil and criminal liability to an authorized entity, or the entity's trained employee or agent, for providing or administering an epinephrine auto-injector to a person the agent or employee believes in good faith is experiencing anaphylaxis. Specifically, the law grants the immunity for any personal injuries resulting from ordinary negligence during the provision or administration of the medication. The immunity does not extend to acts or omissions that constitute gross, willful, or wanton negligence ([CGS § 19a-909\(f\)\(2\)](#)).

The State and its Employees

The law extends to the state and its employees the same immunity from civil and criminal liability as described above for authorized entities and trained employees. The immunity applies only if the

state employee meets the training requirements for authorized entities' trained employees (i.e., completion of a first aid course or health provider training) ([CGS § 52-557v](#)).

Prescribing or Administering Opioid Antagonists

Connecticut law allows licensed health care practitioners authorized to prescribe an opioid antagonist to prescribe, dispense, or administer it to treat or prevent a drug overdose without being (1) civilly or criminally liable for the action or for its subsequent use or (2) deemed as violating their professional standard of care ([CGS § 17a-714a\(b\)](#)).

The law also provides immunity from civil and criminal liability to all licensed health care professionals who administer an opioid antagonist in accordance with the law. Any such health care professional must not be deemed to have violated his or her professional standard of care ([CGS § 17a-714a\(c\)](#)).

The law also allows anyone, if acting with reasonable care, to administer an opioid antagonist to someone he or she believes, in good faith, is experiencing an opioid-related drug overdose. It generally gives civil and criminal immunity to such a person regarding the administration of the opioid antagonist ([CGS § 17a-714a\(d\)](#)).

Seeking Emergency Medical Care for a Drug Overdose

The law provides immunity from civil and criminal liability to individuals who in good faith seek or receive emergency medical care for themselves or another person they reasonably believe is experiencing an overdose from the ingestion, inhalation, or injection of intoxicating liquor or any drug or substance ([CGS § 21a-279\(d\)](#)).

Rescuing a Child or an Animal From a Vehicle

Under certain circumstances, the law provides an affirmative defense against civil damages or criminal penalties for entering another person's passenger motor vehicle, including forcibly, to remove a child or an animal. It covers the person's actions or omissions in removing the child as long as the person:

1. reasonably believes, at the time of entry, that entering the vehicle is necessary to remove the child or animal from imminent danger of serious bodily injury;
2. uses no more force than is reasonably necessary, under the circumstances the person knows at the time, to enter the vehicle to remove the child or animal;

3. reports the entry and related circumstances to a law enforcement or public safety agency within a reasonable time after entering the vehicle; and
4. takes reasonable steps to ensure the child's or animal's safety, health, and well-being after removing the child or animal from the vehicle ([CGS § 52-557u](#)).

Providing Medical Assistance or Intervention in Child Abuse or Neglect Cases

The law provides immunity from civil and criminal liability to any person, institution, or agency that, in good faith, provides professional medical intervention or assistance in any proceeding involving child abuse or neglect. This immunity does not apply to medical malpractice that results in injury or death. It applies to liability that might otherwise arise from or be related to actions such as:

1. causing a photograph, x-ray, or physical custody examination to be made;
2. causing a child to be taken into emergency protective custody;
3. disclosing a medical record or other information pertinent to the proceeding; or
4. performing a medically relevant test.

Under the law, a person designated as a mandated reporter (e.g., health professional or school employee) who, in good faith, does not report suspected child abuse or neglect or alleged sexual assault of a student to the Department of Children and Families or law enforcement as required or permitted by law may be civilly or criminally liable for failure to report ([CGS § 17a-101e\(b\)](#)).

Architects Assisting During a Civil Preparedness Emergency

The law specifically grants civil immunity to licensed architects who voluntarily help certain public safety officials evaluate the safety of "built environment" (e.g., buildings, streets, or sidewalks) elements after a governor-declared civil preparedness emergency due to a major disaster or emergency. Unless there is willful misconduct, the law protects agents and representatives of the state or a municipality and those authorized by a civil preparedness force from liability for death, injury, or property damage if they assist with or respond to major disasters and emergencies ([CGS § 20-298c](#)).

To receive this civil immunity, the architect's help must be:

1. at the request of, under the direction of, or in connection with a public safety official;
2. voluntary and without compensation; and

3. done in good faith.

An architect whose assistance meets these requirements is not liable for civil damages unless he or she failed to act as a reasonably prudent public safety official would have acted under the same or similar circumstances. These provisions apply to an architect's acts or omissions that occur during the period a civil preparedness emergency declaration is in effect or for 60 days after the declaration is issued, whichever is longer ([CGS § 20-298c](#)).

Food Donors

Under Connecticut law, food donors (e.g., food growers, processors, distributors, and retailers) are protected from lawsuits filed by someone injured by the donated food or its packaging. In 2022, the legislature extended this protection to food relief organizations and supermarkets that donate canned or perishable food, but specified that the immunity for these entities does not apply if they knew or had reasonable grounds to believe that state or local health officials embargoed the donated food or ordered it destroyed ([CGS § 52-557I](#)).

MK:co