

§93-A. Immunity for supervision and training

1. Emergency medical treatment supervision. A physician functioning within the medical control system established by the regional medical director and practicing in a hospital to or from which patients are transported under section 86 or health care practitioner under such a physician's supervision who gives oral or written instructions to a basic emergency medical services person or an advanced emergency medical person for the provision of emergency medical treatment outside the hospital is not civilly liable for negligence as a result of issuing the instructions, if the instructions were in accordance with the protocol for the patient's reported condition. For the purpose of aiding in establishing the use of a protocol that permits the immunity provided in this subsection, the following provisions apply:

A. The basic emergency medical services person or advanced emergency medical person to whom the instructions are given shall document those instructions on the state ambulance run record; and [PL 2019, c. 370, §18 (AMD).]

B. The physician or health care practitioner giving the instructions shall maintain a medical control log documenting those instructions at the time they were given and shall sign the log. [PL 1987, c. 638, §2 (NEW).]

The immunity provided in this subsection extends to the hospital in which the physician described in this subsection is practicing or the health care practitioner described in this subsection is being supervised.

[PL 2019, c. 370, §18 (AMD).]

2. Emergency medical services persons' training. Except as otherwise provided in this subsection, no hospital, physician or health care practitioner providing an emergency medical services course, refresher course or continuing education course approved by Maine Emergency Medical Services may be vicariously liable for the civil liability of a person enrolled in the course to a person receiving emergency medical treatment during the course.

The immunity provided by this subsection does not apply if the person enrolled in the course is an employee of the hospital, physician or health care practitioner seeking immunity under this subsection. [PL 1991, c. 588, §25 (AMD).]

SECTION HISTORY

PL 1987, c. 638, §2 (NEW). PL 1991, c. 588, §25 (AMD). PL 2019, c. 370, §18 (AMD).

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