

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 48

5 By: Senators M. Johnson, C. Tucker
6 By: Representative Pilkington
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE "GOOD SAMARITAN" LAW TO INCLUDE
10 TO CERTAIN PERSONS AND NONPROFIT ORGANIZATION WHO
11 PROVIDE SUICIDE PREVENTION INTERVENTIONS; AND FOR
12 OTHER PURPOSES.
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Subtitle

15 TO AMEND THE "GOOD SAMARITAN" LAW TO
16 INCLUDE TO CERTAIN PERSONS AND NONPROFIT
17 ORGANIZATION WHO PROVIDE SUICIDE
18 PREVENTION INTERVENTIONS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 17-95-101 is amended to read as follows:
25 17-95-101. "Good Samaritan" law – Definition.

26 (a) Any healthcare professional under the laws of the State of
27 Arkansas who in good faith lends emergency care or assistance without
28 compensation at the place of an emergency or accident ~~shall not be~~ is not
29 liable for any civil damages for acts or omissions performed in good faith so
30 long as any act or omission resulting from the rendering of emergency
31 assistance or services was not grossly negligent or willful misconduct.

32 (b) Any person who is not a healthcare professional who is present at
33 an emergency or accident scene and who:

34 (1) Believes that the life, health, and safety of an injured
35 person or a person who is under imminent threat of danger could be aided by
36 reasonable and accessible emergency procedures under the circumstances



1 existing at the scene thereof; and

2 (2) Proceeds to lend emergency assistance or service in a manner
3 calculated in good faith to lessen or remove the immediate threat to the
4 life, health, or safety of such a person, ~~shall not be held~~ is not liable ~~in~~
5 for civil damages in any action in this state for any act or omission
6 resulting from the rendering of emergency assistance or services unless the
7 act or omission was not in good faith and was the result of gross negligence
8 or willful misconduct.

9 (c)(1) A person who, without compensation, renders suicide prevention
10 interventions at the scene of a threatened suicide, for and at the request of
11 a nonprofit organization, is not liable for civil damages in any action in
12 this state for any act or omission resulting from the rendering of suicide
13 prevention intervention unless the act or omission was not in good faith and
14 was the result of gross negligence or willful misconduct.

15 (2) A nonprofit organization that requests, sponsors, or
16 participates in the providing of services under circumstances described in
17 subdivision (c)(1) of this section is not liable for civil damages in any
18 action in this state for any act or omission resulting from the rendering of
19 suicide prevention intervention unless the act or omission was not in good
20 faith and was the result of gross negligence or willful misconduct.

21 (d) ~~A~~ A healthcare professional who in good faith and without
22 compensation renders voluntary emergency assistance to a participant in a
23 school athletic event or contest at the site thereof or during transportation
24 to a healthcare facility for an injury suffered in the course of the event or
25 contest ~~shall be~~ is not liable for any civil damages as a result of any acts
26 or omissions by that healthcare professional in rendering the emergency care.
27 The immunity granted by this subsection shall not apply in the event of an
28 act or omission constituting gross negligence.

29 ~~(d)~~(e) For the purposes of this section, "healthcare professional"
30 means a licensed physician, chiropractic physician, dentist, optometric
31 physician, podiatric physician, and any other licensed healthcare
32 professional.

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35 APPROVED: 2/9/23
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