

Florida Good Samaritan Act

768.1345 Professional malpractice; immunity.--No person shall have a claim for professional malpractice against a licensed professional who provides services for which no compensation is sought or received to such person during the period of a declared emergency if the professional services arose out of the emergency and if the professional acted as an ordinary reasonably prudent member of the profession would have acted under the same or similar circumstances.

History.--s. 32, ch. 93-211.

The Good Samaritan Act, [HB321/SB532](#), passed during Florida's 2004 Legislative Session. The legislation provides immunity from civil liability to any person who gratuitously provides care, treatment, or service during emergency response activities in connection with local emergency management agencies, the Division of Emergency Management of the Department of Community Affairs, or the Federal Emergency Management Agency.

The immunity protects a person from civil liability for damages caused by an act or a failure to act to arrange further care, treatment, or services if such person acts as a reasonably prudent person would have acted under the same or similar circumstances. Architects have, in the past, been called in as experts to opine on the safety of damaged buildings to allow rescue workers to enter for either rescue or recovery. This bill will provide some additional liability protection to architects and others who respond to emergencies such as the 911 terrorist attacks as well as natural disasters such as Hurricane Andrew and now, Hurricane Charley.