EMS Information Bulletin - # 073

DATE: October 21, 2009

SUBJECT: Paramedic Liability Protection

TO: Regional EMS Directors

FROM: Bureau of Emergency Medical Services
       PA Department of Health
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As we prepare for paramedics to be used in mass vaccine settings, there has been
questions concerning the liability protection for paramedics. This was researched by the
Department of Health (DOH) Legal Department and I have been provided the following
response.

- Paramedics and ambulance service medical directors as well as other health
care providers participating in the DOH Vaccine Administration Program are
considered Commonwealth employees acting on behalf of DOH and, thus have a
right to legal representation by the Commonwealth. Further, while the
Commonwealth has waived sovereign immunity for certain tort claims grounded
in negligence, health care providers including paramedics and ambulance
service medical directors participating in the DOH Vaccine Administration
Program will, never less, be immune from liability attributable to the work they
perform for DOH in this program (except for claims of willful misconduct) under
the Public Readiness and Emergency Preparedness (PREP) Act, 42 United States
Code 247d-6b.

It is hopeful that this addresses any questions. Please do not hesitate to contact the
Bureau of EMS at 717-787-8740 if you have further questions.