

Proposed Bill Would Provide Immunity for New Jersey Rescue Squads

by CJ Griffin on August 28, 2012

A bill introduced in the New Jersey Senate would overrule a recent court ruling regarding the liability of New Jersey municipalities when it comes to their emergency response operations. In *Murray v. Plainfield Rescue Squad*, the New Jersey Supreme Court held that rescue squads that provide intermediate and basic life support services are not immune from suit.

The decision was based on the court's interpretation of N.J.S.A. 26:2K-29. It provides: "No EMT-intermediate, licensed physician, hospital or its board of trustees, officers and members of the medical staff, nurses or other employees of the hospital, or officers and members of a first aid, ambulance or rescue squad shall be liable for any civil damages as the result of an act or the omission of an act committed while in training for or in the rendering of intermediate life support services in good faith and in accordance with this act."

As we previously discussed on this New Jersey Government & Law blog, the state's highest court concluded that the law does not provide immunity to a rescue squad as an entity, highlighting that the legislature could have drafted the law to provide immunity but failed to do so. Now, lawmakers are acting to do just that.

New Jersey Senate Bill 2165 clarifies that first aid, ambulance or rescue squads, as entities, have immunity from civil damages in certain circumstances. The bill was introduced by Sen. Christopher "Kip" Bateman, R-Somerset, and is currently pending before the Senate Law and Public Safety Committee.

For additional information about liability issues related to emergency response operations, please contact a member of Scarinci Hollenbeck's Public Law Group.