



Ohio Legislative Service Commission

Bill Analysis

Aida S. Montano

H.B. 214

128th General Assembly
(As Introduced)

Reps. Letson and Huffman, Mallory, Snitchler, Sears, Pillich, Wachtmann, Mecklenborg, Winburn, Slesnick, Harwood, Yuko, Stebelton, Fende, Newcomb, Domenick

BILL SUMMARY

- Provides that a person who is a registered member of the National Ski Patrol System, a federally chartered corporation, is not liable in civil damages for administering emergency care or treatment at the scene of an emergency while on duty as a member of the System, or for acts performed at the scene of the emergency, unless the person's actions constitute willful or wanton misconduct.

CONTENT AND OPERATION

Operation of the bill

The bill provides that a person who is a registered member of the National Ski Patrol System, as described in 36 U.S.C. 152702 (see **COMMENT**), is not liable in civil damages for administering emergency care or treatment at the scene of an emergency while on duty as a member of the System, or for acts performed at the scene of the emergency, unless the person's actions constitute willful or wanton misconduct. The bill states that this provision applies to a person who is a registered member of the National Ski Patrol System regardless of whether the person serves as a volunteer or paid member of the System. (R.C. 2305.2310.)

Background

The existing Good Samaritan Law provides that no person is liable in civil damages for administering emergency care or treatment at the scene of an emergency outside of a hospital, doctor's office, or other place having proper medical equipment, for acts performed at the scene of such emergency, unless such acts constitute willful or wanton misconduct. Nothing in this provision applies to the administering of such care or treatment if the same is rendered for remuneration, or with the expectation of

remuneration, from the recipient of the care or treatment or someone on the recipient's behalf. The administering of that care or treatment by one as a part of the duties as a paid member of any organization of law enforcement officers or firefighters does not cause such to be a rendering for remuneration or expectation of remuneration. (R.C. 2305.23.)

COMMENT

The National Ski Patrol System, Incorporated, which is incorporated in New York and Colorado, is a federally chartered corporation. It is an organization exempt from taxation under the Internal Revenue Code. Its purposes are: (1) to promote, in every way, patriotic, scientific, educational, and civic improvement activities and public safety in skiing, by such means as the dissemination of information and the formation of volunteer local patrols consisting of competent skiers trained in first aid for the purpose of preventing accidents and rendering speedy assistance to individuals sustaining accidents, and (2) to solicit contributions of money, services, and other property for, and generally to encourage and assist in carrying out these purposes in every way. Generally, eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws. (36 U.S.C. 152702(a), 152703, 152704, and 152708.)

HISTORY

ACTION	DATE
Introduced	06-09-09

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