

SENATE 2635:

AN ACT TO PROVIDE LIABILITY PROTECTIONS FOR HEALTH CARE WORKERS AND FACILITIES DURING THE COVID-19 PANDEMIC

(summary reflects text as redrafted and as reported in part)

SPONSOR:

Governor Baker

LEGISLATIVE HISTORY:

4/9/2020 Referred to the Committee on Financial Services;
House concurred
4/14/2020 Reported from the Committee on Financial Services,
new draft of S2635
4/15/2020 Referred to the Committee on Senate Ways and
Means

EXISTING LAWS AFFECTED:

None

PROPOSED LEGISLATION:

- Effective March 10, 2020 and for the duration of the COVID-19 emergency, provides immunity from suit and civil liability to health care professionals and facilities for alleged COVID-19 related damages, if the health care services were provided in good faith and damages were not caused through gross negligence, recklessness or conduct with an intent to either harm or to discriminate based on race, ethnicity, national origin, religion, disability, sexual orientation or gender identity.
- Provides that health care facilities and professionals remain subject to consumer protection actions brought by the Attorney General and false claim actions brought by or on behalf of the Commonwealth.
- Effective March 10, 2020 and for the duration of the COVID-19 emergency, provides volunteer organizations providing use of its facility or facilities to support the Commonwealth's response to COVID-19, with immunity from suit and civil liability for alleged COVID-19 related damages, so long as damages were not caused through gross negligence, recklessness or conduct with an intent to harm.

ESTIMATED FISCAL IMPACT:

This legislation has no cost to the Commonwealth.