

SENATE FILE NO. SF0036

Public health emergencies-volunteers.

Sponsored by: Joint Labor, Health and Social Services  
Interim Committee

A BILL

for

1 AN ACT relating to public health and safety; providing  
2 immunity from liability for volunteer health care providers  
3 without active licenses as specified; providing for  
4 temporary health care provider licensure during a public  
5 health emergency; and providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 35-4-114 is amended to read:

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11 **35-4-114. Immunity from liability.**

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13 (a) During a public health emergency as defined by  
14 W.S. 35-4-115(a)(i), any health care provider or other  
15 person who in good faith follows the instructions of the  
16 state health officer in responding to the public health

1 emergency is immune from any liability arising from  
2 complying with those instructions. This immunity shall  
3 apply to health care providers who are retired, who have an  
4 inactive license or who are licensed in another state  
5 without a valid Wyoming license and while performing as a  
6 volunteer during a declared public health emergency as  
7 defined by W.S. 35-4-115(a)(i). This immunity shall not  
8 apply to acts or omissions constituting gross negligence or  
9 willful or wanton misconduct.

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11 (b) The licensing boards for any health care provider  
12 holding a permit or license as a health care provider  
13 regulated under title 33 of the Wyoming statutes shall  
14 provide by rule and regulations for the temporary licensure  
15 of health care providers during a public health emergency  
16 as declared by the governor pursuant to W.S.  
17 35-4-115(a)(i). If required during a declared public  
18 health emergency, the state health officer may issue  
19 temporary practice licenses to health care providers who  
20 are retired, who have an inactive license or who are  
21 licensed in another state without a valid Wyoming license  
22 pending action on an application for issuance of a  
23 temporary license by the appropriate licensing board  
24 pursuant to this subsection.

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2       (c) All temporary health care provider licenses  
3 issued by the state health officer under subsection (b) of  
4 this section shall terminate automatically upon declaration  
5 by the governor, pursuant to W.S. 3-4-115(a)(i), that the  
6 public health emergency has ended.

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8       **Section 2.** This act is effective July 1, 2008.

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(END)