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For the Nursing Profession
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Good Samaritan Law: Court Rules Law Protects A Nurse Who Volunteers To Assist In Emergency.

Anurse volunteered her time to staff the first aid tent at an outdoor music festival where food was being sold and served to the public by the festival promoters. A festival patron sampled the seafood gumbo. The gumbo happened to contain shellfish to which the man had an idiopathic allergy. He went into anaphylactic shock and soon died.

There were just the nurse and a physician at the first aid tent. Both were unpaid volunteers. When it was reported a man was in distress, the physician quickly went to his aid. The physician recognized he was in anaphylactic shock, told someone to call the emergency paramedics, and gave the man the only dosage of epinephrine she had in her emergency bag.

As soon as someone else came to

A nurse who volunteered for the first aid tent was sued for assisting a man in anaphylactic shock from eating the seafood.

The Good Samaritan Statute says that no person who voluntarily and gratuitously renders emergency assistance can be held liable for civil damages resulting from giving emergency assistance, unless there has been "gross, willful or wanton negligence."

SUPREME COURT OF RHODE ISLAND, 1997.

staff the first aid so she could leave, the nurse also went to the man's assistance. She stayed with him while waiting for the paramedics. He went into respiratory distress. The physician and the nurse did CPR, but could not revive the man, and he died on the way to the hospital.

The Supreme Court of Rhode Island used the Good Samaritan law to throw out the wrongful death lawsuit the family filed against the physician and the nurse. They were volunteers rendering gratuitous services in an emergency situation, and there was no proof they were guilty of "gross, willful or wanton negligence."

The court was not persuaded the nurse or physician had even been guilty of ordinary negligence. They really did not need the Good Samaritan law to be relieved from blame. **Boccasile vs. Cajun Music Limited, 694 A. 2d 686 (R.I., 1997).**