Bill No.: SB-910
Title: AN ACT PROVIDING IMMUNITY FROM CIVIL LIABILITY TO A PHYSICIAN WHO ACCOMPANIES AND ASSISTS A STATE, REGIONAL OR MUNICIPAL SWAT TEAM.
Vote Date: 4/12/2019
Vote Action: Joint Favorable
PH Date: 2/27/2019
File No.: 837

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SPONSORS OF BILL:
JUDICIARY COMMITTEE

REASONS FOR BILL:
Physicians in this state, routinely accompany S.W.A.T. and Emergency Response teams on their special operations. Often times on a volunteer basis. This bill would provide immunity from civil liability to such persons in the performance of their duties.

SUBSTITUTE LANGUAGE: In section one, “such physician” was changed to “such licensed person” for consistency.

RESPONSE FROM ADMINISTRATION/AGENCY:
None submitted.

NATURE AND SOURCES OF SUPPORT:
STATE SENATOR, ROB Sampson: Supports this bill. This bill essentially extends “good Samaritan” immunity to those physicians who provide emergency medical or professional assistance to a person in connection with law enforcement duties of special operations, emergency response team or emergency services teams.
“I believe that this legislation will not only protect the physicians that currently volunteer with our law enforcement community, but will also encourage other doctors to do the same in their communities. I urge this committee to advance this bill as it is good public policy and
promotes and preserves this innovative relationship between our medical and law enforcement communities.”

CONNECTICUT ARMY NATIONAL GUARD, WESLEY C. KYLE, MD, CAPTAIN, MS, FIELD SURGEON: Supports this legislation. Battlefield medicine over the last two decades has shown that there is a narrow window of opportunity to intervene in the majority of preventable causes of combat related death. These injuries will often not survive the time it takes for a hostile environment to be rendered safe or for a casualty to be evacuated to safety. Therefore, it is imperative that highly trained medical providers are embedded with the tactical team and trained in team tactics. This allows physicians to be immediately available at the point of injury to intervene on these most critical injuries.

“It is an honor to volunteer my time serving these officers. I greatly appreciate you considering this act which would provide the physicians who serve tactical police teams with immunity from civil liability.”

A. SCOTT WHYTE, M.D., BETHANY CT.; Supports this bill. As an emergency physician with firsthand knowledge and experience with penetrating trauma and catastrophic injuries, I as well as my fellow physicians, recognized the importance of providing care and treating officers as well as civilians as close to the point of wounding during SWAT activities. The importance of this act cannot be overstated. As volunteer physicians for our regional SWAT teams we are highly motivated to help protect and serve those who put their lives on the line every day. As physicians, who are non-sworn officers, we are unable to obtain civil liability protection against potential lawsuits filed against our SWAT Teams. We are placing our personal assets including our homes, retirement accounts and financial well-being on the line every time we go out with our police force. For these reasons and many more I hope you will recognize the importance of this bill.

AVON POLICE DEPARTMENT, SERGEANT KEVIN FLEMING, SENIOR TEAM LEADER, NORTH CENTRAL EMERGENCY SERVICES TEAM: Supports this bill. The goal of all SWAT operations is to protect the general public and the innocent from a significant criminal risk while mitigating the risks to officers and suspects as much as possible. Due to the often dangerous nature of the scene, traditional commercial and municipal EMS providers will not enter a crime scene in order to render aid until the scene is deemed safe, which can cause unacceptable delays in treatment for suspects, victims and officers. Therefore, it is of great comfort to my teammates and I that we have qualified tactical medics embedded with us.

These providers are all doctors and are all volunteering their time at great risk to themselves, both physically and professionally, in order to provide the highest possible pre-hospital care to all of those involved immediately and right at the point of injury.

Therefore, I urge you to support this bill in order to provide protection to those doctors who volunteer to assist police SWAT team.

NATURE AND SOURCES OF OPPOSITION:

CONNECTICUT TRIAL LAWYERS ASSOCIATION: Opposes this bill. The existing Good Samaritan Statute clearly provides protections to physicians who are helping a SWAT team or any other municipal or state entity, as long as the assistance is not in the ordinary course of their business. Accordingly, this proposed statute is unnecessary.