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**HOUSE BILL NO. 1700**

Offered January 13, 2025

Prefiled January 4, 2025

A *BILL to amend and reenact § 8.01-225 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-274.7, relating to school boards; bleeding control programs; bleeding control kits; immunity from civil liability.*

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Patron—Clark

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Referred to Committee on Education

**Be it enacted by the General Assembly of Virginia:**

**1. That § 8.01-225 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 22.1-274.7 as follows:**

**§ 8.01-225. Persons rendering emergency care, obstetrical services exempt from liability.**

A. Any person who:

1. In good faith, renders emergency care or assistance, without compensation, to any ill or injured person (i) at the scene of an accident, fire, or any life-threatening emergency; (ii) at a location for screening or stabilization of an emergency medical condition arising from an accident, fire, or any life-threatening emergency; or (iii) en route to any hospital, medical clinic, or doctor's office, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such care or assistance. For purposes of this subdivision, emergency care or assistance includes the forcible entry of a motor vehicle in order to remove an unattended minor at risk of serious bodily injury or death, provided the person has attempted to contact a law-enforcement officer, as defined in § 9.1-101, a firefighter, as defined in § 65.2-102, emergency medical services personnel, as defined in § 32.1-111.1, or an emergency 911 system, if feasible under the circumstances.

2. In the absence of gross negligence, renders emergency obstetrical care or assistance to a female in active labor who has not previously been cared for in connection with the pregnancy by such person or by another professionally associated with such person and whose medical records are not reasonably available to such person shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care or assistance. The immunity herein granted shall apply only to the emergency medical care provided.

3. In good faith and without compensation, including any emergency medical services provider who holds a valid certificate issued by the Commissioner of Health, administers epinephrine in an emergency to an individual shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if such person has reason to believe that the individual receiving the injection is suffering or is about to suffer a life-threatening anaphylactic reaction.

4. Provides assistance upon request of any police agency, fire department, emergency medical services agency, or governmental agency in the event of an accident or other emergency involving the use, handling, transportation, transmission, or storage of liquefied petroleum gas, liquefied natural gas, hazardous material, or hazardous waste as defined in § 10.1-1400 or regulations of the Virginia Waste Management Board shall not be liable for any civil damages resulting from any act of commission or omission on his part in the course of his rendering such assistance in good faith.

5. Is an emergency medical services provider possessing a valid certificate issued by authority of the State Board of Health who in good faith renders emergency care or assistance, whether in person or by telephone or other means of communication, without compensation, to any injured or ill person, whether at the scene of an accident, fire, or any other place, or while transporting such injured or ill person to, from, or between any hospital, medical facility, medical clinic, doctor's office, or other similar or related medical facility, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such emergency care, treatment, or assistance, including but in no way limited to acts or omissions which involve violations of State Department of Health regulations or any other state regulations in the rendering of such emergency care or assistance.

6. In good faith and without compensation, renders or administers emergency cardiopulmonary resuscitation (CPR); cardiac defibrillation, including, but not limited to, the use of an automated external defibrillator (AED); or other emergency life-sustaining or resuscitative treatments or procedures which have been approved by the State Board of Health to any sick or injured person, whether at the scene of a fire, an accident, or any other place, or while transporting such person to or from any hospital, clinic, doctor's office, or other medical facility, shall be deemed qualified to administer such emergency treatments and procedures and shall not be liable for acts or omissions resulting from the rendering of such emergency resuscitative

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59 treatments or procedures.

60 7. Operates an AED at the scene of an emergency, trains individuals to be operators of AEDs, or orders  
61 AEDs, shall be immune from civil liability for any personal injury that results from any act or omission in the  
62 use of an AED in an emergency where the person performing the defibrillation acts as an ordinary,  
63 reasonably prudent person would have acted under the same or similar circumstances, unless such personal  
64 injury results from gross negligence or willful or wanton misconduct of the person rendering such emergency  
65 care.

66 8. Maintains an AED located on real property owned or controlled by such person shall be immune from  
67 civil liability for any personal injury that results from any act or omission in the use in an emergency of an  
68 AED located on such property unless such personal injury results from gross negligence or willful or wanton  
69 misconduct of the person who maintains the AED or his agent or employee.

70 9. Is an employee of a school board or of a local health department approved by the local governing body  
71 to provide health services pursuant to § 22.1-274 who, while on school property or at a school-sponsored  
72 event, (i) renders emergency care or assistance to any sick or injured person; (ii) renders or administers  
73 emergency cardiopulmonary resuscitation (CPR); cardiac defibrillation, including, but not limited to, the use  
74 of an automated external defibrillator (AED); or other emergency life-sustaining or resuscitative treatments or  
75 procedures that have been approved by the State Board of Health to any sick or injured person; (iii) operates  
76 an AED, trains individuals to be operators of AEDs, or orders AEDs; (iv) maintains an AED; or (v) renders  
77 care in accordance with a seizure management and action plan pursuant to § 22.1-274.6, shall not be liable for  
78 civil damages for ordinary negligence in acts or omissions on the part of such employee while engaged in the  
79 acts described in this subdivision.

80 10. Is a volunteer in good standing and certified to render emergency care by the National Ski Patrol  
81 System, Inc., who, in good faith and without compensation, renders emergency care or assistance to any  
82 injured or ill person, whether at the scene of a ski resort rescue, outdoor emergency rescue, or any other place  
83 or while transporting such injured or ill person to a place accessible for transfer to any available emergency  
84 medical system unit, or any resort owner voluntarily providing a ski patroller employed by him to engage in  
85 rescue or recovery work at a resort not owned or operated by him, shall not be liable for any civil damages for  
86 acts or omissions resulting from the rendering of such emergency care, treatment, or assistance, including but  
87 not limited to acts or omissions which involve violations of any state regulation or any standard of the  
88 National Ski Patrol System, Inc., in the rendering of such emergency care or assistance, unless such act or  
89 omission was the result of gross negligence or willful misconduct.

90 11. Is an employee of (i) a school board, (ii) a school for students with disabilities as defined in §  
91 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as  
92 administered by the Virginia Council for Private Education and is authorized by a prescriber and trained in  
93 the administration of insulin and glucagon, who, upon the written request of the parents as defined in § 22.1-1  
94 , assists with the administration of insulin or, in the case of a school board employee, with the insertion or  
95 reinsertion of an insulin pump or any of its parts pursuant to subsection B of § 22.1-274.01:1 or administers  
96 glucagon to a student diagnosed as having diabetes who requires insulin injections during the school day or  
97 for whom glucagon has been prescribed for the emergency treatment of hypoglycemia shall not be liable for  
98 any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment  
99 if the insulin is administered according to the child's medication schedule or such employee has reason to  
100 believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening  
101 hypoglycemia. Whenever any such employee is covered by the immunity granted herein, the school board or  
102 school employing him shall not be liable for any civil damages for ordinary negligence in acts or omissions  
103 resulting from the rendering of such insulin or glucagon treatment.

104 12. Is an employee of a public institution of higher education or a private institution of higher education  
105 who is authorized by a prescriber and trained in the administration of insulin and glucagon, who assists with  
106 the administration of insulin or administers glucagon to a student diagnosed as having diabetes who requires  
107 insulin injections or for whom glucagon has been prescribed for the emergency treatment of hypoglycemia  
108 shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the  
109 rendering of such treatment if the insulin is administered according to the student's medication schedule or  
110 such employee has reason to believe that the individual receiving the glucagon is suffering or is about to  
111 suffer life-threatening hypoglycemia. Whenever any employee is covered by the immunity granted in this  
112 subdivision, the institution shall not be liable for any civil damages for ordinary negligence in acts or  
113 omissions resulting from the rendering of such insulin or glucagon treatment.

114 13. Is a school nurse, an employee of a school board, an employee of a local governing body, or an  
115 employee of a local health department who is authorized by a prescriber and trained in the administration of  
116 epinephrine and who provides, administers, or assists in the administration of epinephrine to a student  
117 believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not  
118 be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of  
119 such treatment.

120 14. Is an employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the

121 Board of Education, or an employee of a private school that is accredited pursuant to § 22.1-19 as  
122 administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in  
123 the administration of epinephrine and who administers or assists in the administration of epinephrine to a  
124 student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine,  
125 shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the  
126 rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision,  
127 the school shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting  
128 from such administration or assistance.

129 15. Is an employee of a public institution of higher education or a private institution of higher education  
130 who is authorized by a prescriber and trained in the administration of epinephrine and who administers or  
131 assists in the administration of epinephrine to a student believed in good faith to be having an anaphylactic  
132 reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary  
133 negligence in acts or omissions resulting from the rendering of such treatment. Whenever any employee is  
134 covered by the immunity granted in this subdivision, the institution shall not be liable for any civil damages  
135 for ordinary negligence in acts or omissions resulting from such administration or assistance.

136 16. Is an employee of an organization providing outdoor educational experiences or programs for youth  
137 who is authorized by a prescriber and trained in the administration of epinephrine and who administers or  
138 assists in the administration of epinephrine to a participant in the outdoor experience or program for youth  
139 believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not  
140 be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of  
141 such treatment. Whenever any employee is covered by the immunity granted in this subdivision, the  
142 organization shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting  
143 from such administration or assistance.

144 17. Is an employee of a restaurant licensed pursuant to Chapter 3 (§ 35.1-18 et seq.) of Title 35.1, is  
145 authorized by a prescriber and trained in the administration of epinephrine, and provides, administers, or  
146 assists in the administration of epinephrine to an individual believed in good faith to be having an  
147 anaphylactic reaction on the premises of the restaurant at which the employee is employed, or is the  
148 prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or  
149 omissions resulting from the rendering of such treatment.

150 18. Is an employee of a provider licensed by the Department of Behavioral Health and Developmental  
151 Services, or provides services pursuant to a contract with a provider licensed by the Department of  
152 Behavioral Health and Developmental Services, who has been trained in the administration of insulin and  
153 glucagon and who administers or assists with the administration of insulin or administers glucagon to a  
154 person diagnosed as having diabetes who requires insulin injections or for whom glucagon has been  
155 prescribed for the emergency treatment of hypoglycemia in accordance with § 54.1-3408 shall not be liable  
156 for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such  
157 treatment if the insulin is administered in accordance with the prescriber's instructions or such person has  
158 reason to believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening  
159 hypoglycemia. Whenever any employee of a provider licensed by the Department of Behavioral Health and  
160 Developmental Services or a person who provides services pursuant to a contract with a provider licensed by  
161 the Department of Behavioral Health and Developmental Services is covered by the immunity granted herein,  
162 the provider shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting  
163 from the rendering of such insulin or glucagon treatment.

164 19. Is an employee of a provider licensed by the Department of Behavioral Health and Developmental  
165 Services, or provides services pursuant to a contract with a provider licensed by the Department of  
166 Behavioral Health and Developmental Services, who has been trained in the administration of epinephrine  
167 and who administers or assists in the administration of epinephrine to a person believed in good faith to be  
168 having an anaphylactic reaction in accordance with the prescriber's instructions shall not be liable for any  
169 civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

170 20. In good faith prescribes, dispenses, or administers naloxone or other opioid antagonist used for  
171 overdose reversal in an emergency to an individual who is believed to be experiencing or about to experience  
172 a life-threatening opiate overdose shall not be liable for any civil damages for ordinary negligence in acts or  
173 omissions resulting from the rendering of such treatment if acting in accordance with the provisions of  
174 subsection X or Y of § 54.1-3408 or in his role as a member of an emergency medical services agency.

175 21. In good faith administers naloxone or other opioid antagonist used for overdose reversal to a person  
176 who is believed to be experiencing or about to experience a life-threatening opioid overdose in accordance  
177 with the provisions of subsection Z of § 54.1-3408 shall not be liable for any civil damages for any personal  
178 injury that results from any act or omission in the administration of naloxone or other opioid antagonist used  
179 for overdose reversal, unless such act or omission was the result of gross negligence or willful and wanton  
180 misconduct.

181 22. Is an employee of a school board, school for students with disabilities as defined in § 22.1-319

182 licensed by the Board of Education, or private school accredited pursuant to § 22.1-19 as administered by the  
183 Virginia Council for Private Education who is trained in the administration of injected medications for the  
184 treatment of adrenal crisis resulting from a condition causing adrenal insufficiency and who administers or  
185 assists in the administration of such medications to a student diagnosed with a condition causing adrenal  
186 insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis  
187 pursuant to a written order or standing protocol issued by a prescriber within the course of his professional  
188 practice and in accordance with the prescriber's instructions shall not be liable for any civil damages for  
189 ordinary negligence in acts or omissions resulting from the rendering of such treatment.

190 23. Is a school nurse, a licensed athletic trainer under contract with a local school division, an employee of  
191 a school board, an employee of a local governing body, or an employee of a local health department who is  
192 authorized by the local health director and trained in the administration of albuterol inhalers and valved  
193 holding chambers or nebulized albuterol and who provides, administers, or assists in the administration of an  
194 albuterol inhaler and a valved holding chamber or nebulized albuterol for a student believed in good faith to  
195 be in need of such medication, or is the prescriber of such medication, shall not be liable for any civil  
196 damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

197 24. Is an employee of a place of public accommodation, as defined in subsection A of § 2.2-3904, who is  
198 authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in  
199 the administration of epinephrine to a person present in the place of public accommodation believed in good  
200 faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any  
201 civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.  
202 Whenever any employee is covered by the immunity granted in this subdivision, the organization shall not be  
203 liable for any civil damages for ordinary negligence in acts or omissions resulting from such administration  
204 or assistance.

205 25. Is a nurse at an early childhood care and education entity, employee at the entity, or employee of a  
206 local health department who is authorized by a prescriber and trained in the administration of epinephrine and  
207 who provides, administers, or assists in the administration of epinephrine to a child believed in good faith to  
208 be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil  
209 damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

210 26. *Is a school board employee who is trained in the use of bleeding control kits pursuant to subdivision B*  
211 *3 of § 22.1-274.7 and uses such a kit to control bleeding shall not be liable for any civil damages for ordinary*  
212 *negligence in acts or omissions resulting from such use.*

213 B. Any licensed physician serving without compensation as the operational medical director for an  
214 emergency medical services agency that holds a valid license as an emergency medical services agency  
215 issued by the Commissioner of Health shall not be liable for any civil damages for any act or omission  
216 resulting from the rendering of emergency medical services in good faith by the personnel of such licensed  
217 agency unless such act or omission was the result of such physician's gross negligence or willful misconduct.

218 Any person serving without compensation as a dispatcher for any licensed public or nonprofit emergency  
219 medical services agency in the Commonwealth shall not be liable for any civil damages for any act or  
220 omission resulting from the rendering of emergency services in good faith by the personnel of such licensed  
221 agency unless such act or omission was the result of such dispatcher's gross negligence or willful misconduct.

222 Any individual, certified by the State Office of Emergency Medical Services as an emergency medical  
223 services instructor and pursuant to a written agreement with such office, who, in good faith and in the  
224 performance of his duties, provides instruction to persons for certification or recertification as a certified  
225 basic life support or advanced life support emergency medical services provider shall not be liable for any  
226 civil damages for acts or omissions on his part directly relating to his activities on behalf of such office unless  
227 such act or omission was the result of such emergency medical services instructor's gross negligence or  
228 willful misconduct.

229 Any licensed physician serving without compensation as a medical advisor to an E-911 system in the  
230 Commonwealth shall not be liable for any civil damages for any act or omission resulting from rendering  
231 medical advice in good faith to establish protocols to be used by the personnel of the E-911 service, as  
232 defined in § 58.1-1730, when answering emergency calls unless such act or omission was the result of such  
233 physician's gross negligence or willful misconduct.

234 Any licensed physician who directs the provision of emergency medical services, as authorized by the  
235 State Board of Health, through a communications device shall not be liable for any civil damages for any act  
236 or omission resulting from the rendering of such emergency medical services unless such act or omission was  
237 the result of such physician's gross negligence or willful misconduct.

238 Any licensed physician serving without compensation as a supervisor of an AED in the Commonwealth  
239 shall not be liable for any civil damages for any act or omission resulting from rendering medical advice in  
240 good faith to the owner of the AED relating to personnel training, local emergency medical services  
241 coordination, protocol approval, AED deployment strategies, and equipment maintenance plans and records  
242 unless such act or omission was the result of such physician's gross negligence or willful misconduct.

243 C. Any communications services provider, as defined in § 58.1-647, including mobile service, and any

244 provider of Voice-over-Internet Protocol service, in the Commonwealth shall not be liable for any civil  
 245 damages for any act or omission resulting from rendering such service with or without charge related to  
 246 emergency calls unless such act or omission was the result of such service provider's gross negligence or  
 247 willful misconduct.

248 Any volunteer engaging in rescue or recovery work at a mine, or any mine operator voluntarily providing  
 249 personnel to engage in rescue or recovery work at a mine not owned or operated by such operator, shall not  
 250 be liable for civil damages for acts or omissions resulting from the rendering of such rescue or recovery work  
 251 in good faith unless such act or omission was the result of gross negligence or willful misconduct. For  
 252 purposes of this subsection, "Voice-over-Internet Protocol service" or "VoIP service" means any Internet  
 253 protocol-enabled services utilizing a broadband connection, actually originating or terminating in Internet  
 254 Protocol from either or both ends of a channel of communication offering real time, multidirectional voice  
 255 functionality, including, but not limited to, services similar to traditional telephone service.

256 D. Nothing contained in this section shall be construed to provide immunity from liability arising out of  
 257 the operation of a motor vehicle.

258 E. For the purposes of this section, "compensation" shall not be construed to include (i) the salaries of  
 259 police, fire, or other public officials or personnel who render such emergency assistance; (ii) the salaries or  
 260 wages of employees of a coal producer engaging in emergency medical services or first aid services pursuant  
 261 to the provisions of § 45.2-531, 45.2-579, 45.2-863 or 45.2-910; (iii) complimentary lift tickets, food,  
 262 lodging, or other gifts provided as a gratuity to volunteer members of the National Ski Patrol System, Inc., by  
 263 any resort, group, or agency; (iv) the salary of any person who (a) owns an AED for the use at the scene of an  
 264 emergency, (b) trains individuals, in courses approved by the Board of Health, to operate AEDs at the scene  
 265 of emergencies, (c) orders AEDs for use at the scene of emergencies, or (d) operates an AED at the scene of  
 266 an emergency; or (v) expenses reimbursed to any person providing care or assistance pursuant to this section.

267 For the purposes of this section, "emergency medical services provider" shall include a person licensed or  
 268 certified as such or its equivalent by any other state when he is performing services that he is licensed or  
 269 certified to perform by such other state in caring for a patient in transit in the Commonwealth, which care  
 270 originated in such other state.

271 Further, the public shall be urged to receive training on how to use CPR and an AED in order to acquire  
 272 the skills and confidence to respond to emergencies using both CPR and an AED.

273 **§ 22.1-274.7. School boards; bleeding control programs; bleeding control kits.**

274 A. As used in this section, "bleeding control kit" means a first aid response kit that (i) contains at least (a)  
 275 one tourniquet endorsed by the Committee on Tactical Combat Casualty Care of the federal Defense Health  
 276 Agency, (b) one compression bandage, (c) one bleeding control bandage, (d) one pair of protective gloves  
 277 and one marker, (e) one pair of scissors, and (f) one set of instructional documents developed by the Stop the  
 278 Bleed national awareness campaign of the U.S. Department of Homeland Security or the American College  
 279 of Surgeons' Committee on Trauma and (ii) may contain other tourniquets and bandages similar to those  
 280 described in clauses (i) and any additional items that are approved by local law enforcement or first  
 281 responders, can adequately treat a traumatic injury involving bleeding, and can be stored in a readily  
 282 available kit.

283 B. With such funds as may be provided by the General Assembly for such purpose pursuant to the general  
 284 appropriation act, each school board shall develop and implement a bleeding control program in each public  
 285 elementary and secondary school in the local school division whereby the school board:

286 1. Requires bleeding control kits to be placed in each public elementary and secondary school building in  
 287 locations designated by the division safety official or local first responders as being easily accessible;

288 2. Includes bleeding control kits in the emergency plans of the local school division and each public  
 289 elementary and secondary school therein, including the presentation and use of such kits in all drills and  
 290 emergencies;

291 3. Requires all school board employees who are reasonably expected to encounter a situation that  
 292 requires such employee to use a bleeding control kit, as determined by the division superintendent or his  
 293 designee, to obtain appropriate training in the use of the kit, including the proper application of pressure  
 294 techniques, dressings, bandages, and tourniquets to control and stop bleeding. Such training shall be  
 295 approved by the Department and may consist of training provided by the American College of Surgeons or  
 296 another similar organization;

297 4. Requires annual inspection of bleeding control kit inventories to ensure that materials, supplies, and  
 298 equipment contained in the bleeding control kit are not expired and the replacement of any expired materials,  
 299 supplies, and equipment as necessary; and

300 5. Requires each bleeding control kit to be restocked after each use and any materials, supplies, and  
 301 equipment to be replaced as necessary to ensure that the kit contains all required materials, supplies, and  
 302 equipment.