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HOUSE BILL NO. 1700**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Education

on January 15, 2025)

(Patron Prior to Substitute—Delegate Clark)

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.*

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 treatments or procedures.

7. Operates an AED at the scene of an emergency, trains individuals to be operators of AEDs, or orders AEDs, shall be immune from civil liability for any personal injury that results from any act or omission in the

60 use of an AED in an emergency where the person performing the defibrillation acts as an ordinary,
61 reasonably prudent person would have acted under the same or similar circumstances, unless such personal
62 injury results from gross negligence or willful or wanton misconduct of the person rendering such emergency
63 care.

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

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

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

88 11. Is an employee of (i) a school board, (ii) a school for students with disabilities as defined in §
89 22.1-319 licensed by the Board of Education, or (iii) a private school accredited pursuant to § 22.1-19 as
90 administered by the Virginia Council for Private Education and is authorized by a prescriber and trained in
91 the administration of insulin and glucagon, who, upon the written request of the parents as defined in § 22.1-1
92 , assists with the administration of insulin or, in the case of a school board employee, with the insertion or
93 reinsertion of an insulin pump or any of its parts pursuant to subsection B of § 22.1-274.01:1 or administers
94 glucagon to a student diagnosed as having diabetes who requires insulin injections during the school day or
95 for whom glucagon has been prescribed for the emergency treatment of hypoglycemia shall not be liable for
96 any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment
97 if the insulin is administered according to the child's medication schedule or such employee has reason to
98 believe that the individual receiving the glucagon is suffering or is about to suffer life-threatening
99 hypoglycemia. Whenever any such employee is covered by the immunity granted herein, the school board or
100 school employing him shall not be liable for any civil damages for ordinary negligence in acts or omissions
101 resulting from the rendering of such insulin or glucagon treatment.

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

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

118 14. Is an employee of a school for students with disabilities, as defined in § 22.1-319 and licensed by the
119 Board of Education, or an employee of a private school that is accredited pursuant to § 22.1-19 as
120 administered by the Virginia Council for Private Education who is authorized by a prescriber and trained in

121 the administration of epinephrine and who administers or assists in the administration of epinephrine to a
 122 student believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine,
 123 shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the
 124 rendering of such treatment. Whenever any employee is covered by the immunity granted in this subdivision,
 125 the school shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting
 126 from such administration or assistance.

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

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

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

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

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

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

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

179 22. Is an employee of a school board, school for students with disabilities as defined in § 22.1-319
 180 licensed by the Board of Education, or private school accredited pursuant to § 22.1-19 as administered by the
 181 Virginia Council for Private Education who is trained in the administration of injected medications for the

182 treatment of adrenal crisis resulting from a condition causing adrenal insufficiency and who administers or
183 assists in the administration of such medications to a student diagnosed with a condition causing adrenal
184 insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis
185 pursuant to a written order or standing protocol issued by a prescriber within the course of his professional
186 practice and in accordance with the prescriber's instructions shall not be liable for any civil damages for
187 ordinary negligence in acts or omissions resulting from the rendering of such treatment.

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

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

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

208 26. *Is a school board employee who is trained in the use of bleeding control kits pursuant to subdivision B*
209 *3 of § 22.1-274.7 and uses such a kit to control bleeding shall not be liable for any civil damages for ordinary*
210 *negligence in acts or omissions resulting from such use.*

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

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

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

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

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

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

241 C. Any communications services provider, as defined in § 58.1-647, including mobile service, and any
242 provider of Voice-over-Internet Protocol service, in the Commonwealth shall not be liable for any civil

243 damages for any act or omission resulting from rendering such service with or without charge related to
 244 emergency calls unless such act or omission was the result of such service provider's gross negligence or
 245 willful misconduct.

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

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

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

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

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

271 **§ 22.1-274.7. School boards; bleeding control programs; bleeding control kits.**

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

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

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

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

289 3. Requires at least two staff members in each school building, one of whom may be a school resource
 290 officer, to receive appropriate training in the use of bleeding control kits, including the proper application of
 291 pressure techniques, dressings, bandages, and tourniquets to control and stop bleeding. Such training shall
 292 be approved by the Department and may consist of training provided by the American College of Surgeons or
 293 another similar organization;

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

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