

FEB 16 1999

JUDICIARY

HOUSE FILE
BY DAVIS

295

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to limitation of liability for services performed
2 by critical incident stress management teams.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 295

1 Section 1. NEW SECTION. 613.17A ASSISTANCE BY CRITICAL
2 INCIDENT STRESS MANAGEMENT TEAMS.

3 1. As used in this section:

4 a. "Critical incident" means an extraordinary event that
5 results in acute or cumulative psychological stress or trauma.

6 b. "Critical incident stress management" means a process
7 of crisis intervention designed to assist emergency services
8 personnel and victims of disasters and other extraordinary
9 events in coping with the psychological trauma resulting from
10 the emergency personnel's response to a critical incident.

11 c. "Critical incident stress management team" means the
12 group of one or more volunteers who provides critical incident
13 stress management services in response to a particular
14 critical incident.

15 2. A person serving as part of a critical incident stress
16 management team, who in good faith performs critical incident
17 stress management, shall not be liable for any civil damages
18 for acts or omissions occurring at the place of a critical
19 incident or otherwise during critical incident stress
20 management unless such acts or omissions constitute
21 recklessness.

22 3. For purposes of this section, the fact that a team
23 member may receive nominal compensation not based upon the
24 value of the services provided shall not negate the limitation
25 of liability in subsection 2.

26 EXPLANATION

27 This bill relates to limitation of liability for services
28 performed by critical incident stress management teams, which
29 are groups of volunteers who provide stress management to
30 emergency services personnel and victims of disasters and
31 other extraordinary events following such an event. A team
32 member who provides such services in good faith is liable for
33 damages arising from acts or omissions in connection with such
34 services only if the acts or omissions constitute
35 recklessness.

1 The bill defines "critical incident", "critical incident
2 stress management", and "critical incident stress management
3 team". The bill also provides that compensation received by
4 the volunteer which is not related to the value of the
5 services performed will not affect the limitation of liability
6 provided by this bill.

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