



*Colorado Legislative Council Staff*  
**NO FISCAL IMPACT**

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**Drafting Number:** LLS 06-0537**Date:** January 12, 2006**Prime Sponsor(s):** Rep. Penry**Bill Status:** House Judiciary**Fiscal Analyst:** Amy Larsen (303-866-3488)

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**TITLE:** CONCERNING IMMUNITY FROM CIVIL LIABILITY UNDER THE "VOLUNTEER SERVICE ACT".

### Summary of Assessment

This bill expands immunity under the Volunteer Service Act to include the following health care professionals:

Physician Assistants	Chiropractors
Midwives	Nurses
Advance Practice Nurses	Retired Volunteer Nurses
Nursing Home Administrators	Nurse Aides
Optometrists	Physical Therapists
Respiratory Therapists	Psychiatric Technicians
Psychologists	Social Workers
Counselors	Marriage and Family Therapists
Pharmacists	

The bill also specifies that a nonprofit organization or hospital is immune from liability arising out of an act or omission of a volunteer who is exempt from liability for negligence. The nonprofit organization or hospital must annually verify that volunteers hold proper licenses, registrations or certifications. It is effective July 1, 2006.

The bill eliminates a potential cause of civil action against volunteers and the organizations that use their services. Few, if any, cases are filed under the cause of action currently available. Also, since the immunity applies to the organization, involvement of the state boards related to the above professions is not expected. Therefore, this bill is assessed as having no fiscal impact.

### Departments Contacted

Judicial      Regulatory Agencies