

No. 210

AN ACT

HB 1365

Exempting physicians and nurses from certain liability when participating in a mass immunization project approved by the Pennsylvania Department of Health.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Whenever the Secretary of Health, or a physician duly licensed in the Commonwealth designated by him, shall approve, in writing, a mass immunization project to be administered in any part of the Commonwealth in cooperation with an official or voluntary medical or health agency, any physician who does not receive remuneration for his services in the project, and any registered nurse, or licensed practical nurse who shall participate in such project and who shall be licensed to practice in the Commonwealth of Pennsylvania shall not be liable to any person for illness, reaction, or adverse effect arising from or out of the use of any drug or vaccine in such project by such physician or such nurse. Neither the Secretary of Health nor his designate shall approve any such project unless he finds that the project conforms to good medical and public health practice.

Section 2. Nothing in this act shall exempt from liability for gross negligence any physician or registered nurse or licensed practical nurse participating in any mass immunization project nor shall the provisions of this act exempt any drug manufacturer from any liability for any drug or vaccine used in such project.

Section 3. This act shall take effect immediately.

APPROVED—The 19th day of September, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 210.



*Secretary of the Commonwealth.*