

American Academy of Pediatrics

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Liability Coverage for Volunteer Work

(Updated 8/31/2009 by Michael O'Halloran MD FAAP)

The Section for Senior Members of the AAP does not give specific legal advice. However, here are some programs available for liability coverage for volunteer work and links to more information.

- 1) Part time insurance (generally meaning less than 20 hours per week) is often available from malpractice insurance providers. Often this is about half of the usual cost.
- 2) Malpractice insurance providers who have insured a physician before retirement will often carry a physician after retirement. This might be accomplished as a rider on the previous policy and can be very inexpensive. One should inquire about this at or before retirement because it may not be available once one has cancelled one's full time coverage.
- 3) Many private and publically funded volunteer organizations provide appropriate liability coverage for their volunteers.
- 4) There is a federal program providing malpractice coverage for volunteer physicians under what is termed the Federal Tort Claims Act (FTCA). Below is a link to information about the program. The materials contain a telephone number that one can use to find out more information.
<http://bphc.hrsa.gov/ftca/freeclinics/> and a summary of a revision dated June 18, 2009 can be accessed at <http://bphc.hrsa.gov/policy/pin0424.htm>.
- 5) Some states have their own programs such as the Wisconsin Volunteer Health Care Provider Program, which makes one an agent of the state for liability purposes.
- 6) Many, perhaps most, states provide for liability coverage for health care volunteers during Governor-declared emergencies.
- 7) Good Samaritan Laws, of course, are in place in all states.

8) The medical liability program recently begun by the AAP will not have any special program for part time volunteer work.