



The Center for Law & the Public's Health at Georgetown & Johns Hopkins Universities

CDC Collaborating Center Promoting Health through Law
WHO/PAHO Collaborating Center on Public Health Law and Human Rights

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Re: Legal and Regulatory Issues Concerning Volunteer Health Professionals in Emergencies -
Advanced Tool Kit

Dear Colleague:

We are pleased to present you with a current copy of our *Advanced Tool Kit* concerning the legal and regulatory issues affecting volunteer health professionals during emergencies.

As you may know, a number of registration systems nationwide are being developed to facilitate the use of volunteers in response to an emergency. At the federal level, for example, the Health Resources and Services Administration (HRSA) is coordinating the development of a state-based Emergency System for Advance Registration of Volunteer Healthcare Professionals ("ESAR-VHP"). These systems will facilitate the creation of volunteer healthcare professional databases for use in emergency response situations.

The purpose of this *Advanced Tool Kit* (and our *Center's* online web resources available at <http://www.publichealthlaw.net/Research/Affprojects.htm>) is to provide you with information and resources to help in your assessment of many of the legal issues that may arise in your state's or territory's implementation of a volunteer registration system. A brief explanation of the materials in this Tool Kit, consistent with the Table of Contents, follows:

1. Legal and Regulatory Issues Concerning Volunteer Health Professionals in Emergencies: An Overview – this PowerPoint Presentation is provided in paper and electronic formats (at the website mentioned above) for you to adapt and use to examine, train, or disseminate information on the major legal issues that underlie development and implementation of a registration system in your jurisdiction.

2. Universal Checklist – this Checklist, reprinted from Section 4.0 of the ESAR-VHP Legal and Regulatory Issues Report (available online at <http://www.hrsa.gov/esarvhp/legregissues/default.htm>), provides a quick tool for identifying, assessing, and clarifying relevant legal and regulatory issues. Users may find this document extraordinarily helpful for organizing their reviews of key legal issues.

3. Model Documents – as part of its research and work with its partners, the *Center* has developed three draft model documents that may be instrumental in the implementation of a registration system. These include (a) *Center's* Best Practices Memo, (b) a Notice of Rights and Responsibilities of Volunteer Health Professionals, and (c) a Volunteer Agreement. Additionally, we provide a brief overview of the Uniform Emergency Volunteer Health Practitioners Act (UEVHPA), which seeks to facilitate the deployment of volunteer health professionals. These documents are also available electronically at the

website mentioned above.

4. Case Studies – The *Center* has prepared 4 case studies that explain anticipated legal issues in response to fictional emergency scenarios. These include **Case Study 1:** Licensure Reciprocity for Volunteer Health Professionals in Connecticut; **Case Study 2:** Hospital Liability for Volunteer Negligence in Pennsylvania; **Case Study 3:** Emergency Declaration Laws in Oregon; and **Case Study 4:** Workers Compensation Coverage for Volunteers in Minnesota.

5. Other References – this section includes references to two additional documents, available online, that might also help some users of this Tool Kit: (a) the *Center's* Civil Legal Liability and Public Health Emergencies Checklist prepared pursuant to funding through the CDC's Public Health Law Program; (b) CDC Public Health Emergency Response Guide for State, Local, and Tribal Public Health Directors; (c) American Bar Association Section of State and Local Government Law Task Force on Emergency Management and Homeland Security, Checklist for State and Local Government Attorneys to Prepare for Possible Disasters; and (d) U.S. Government Accountability Office, GAO's Preliminary Observations Regarding Preparedness, Response, and Recovery.

We hope you find these materials helpful as your state or territory works to develop its own system. We look forward to hearing from you with your questions, comments, and updates.

With best wishes,

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