

# SUMMARY OF LIABILITY PROTECTIONS BY STATE

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STATE	LIABILITY PROTECTION TYPE	SUMMARY
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Alabama	Broad	The governor's executive order provides protections for any business, health care provider, or other covered entity so long as the entity follows appropriate public health guidance and has not acted in a manner that is considered willful misconduct or gross negligence. Other provisions include protections for covered response activities such as testing and COVID-19 testing and manufacturing of mitigation products.
Alaska	Targeted	State law provides immunity from civil damages for health care agents and providers conducting essential public services that follow appropriate health care practices and guidelines and manufacturers of PPE. Other provisions include a retroactive workers' compensation claim period for first responders who contract COVID-19 and a ban on price increases for medicine, essential goods, and fuel.
Arizona	Targeted	The governor's executive order provides immunity from civil damages for Arizona-licensed health care professionals, registered health care volunteers, and first responders. Other provisions include protections for entities operating modular field treatment facilities or sites in support of the COVID-19 response.
Arkansas	Broad	The governor's executive order provides immunity from civil damages to businesses that remain open so long as they operate in a manner that does not constitute willful or reckless misconduct and substantially complies with health and safety directives. Other provisions include protections for all individuals and entities that are health care providers and limitations on claims for workers' compensation.

California	None	
Colorado	None	
Connecticut	Targeted	The governor's executive order provides immunity from civil damages for health care professionals and facilities so long as actions taken do not constitute a crime, fraud, or gross negligence. Other provisions include protections for actions taken due to health care facilities experiencing a shortage of medical supplies and equipment.
Delaware	Targeted	The governor's executive order provides immunity to qualified medical personnel participating in the COVID-19 response who held an active license or certification in any state that is now inactive, expired, or lapsed.
District of Columbia*	Targeted	District law provides immunity from civil damages for health care providers, first responders, and volunteers during a COVID-19 public emergency so long as actions do not constitute gross negligence. Other provisions include protections for health care professionals that prescribe medicine for off-label use, and actions taken due to health care facilities experiencing a shortage of medical supplies or equipment.
Florida	None	
Georgia	Targeted	The governor's executive order designates employees and staff of health care institutions and medical facilities as emergency management workers and provides protections so long as actions do not constitute willful misconduct, gross negligence, or bad faith.
Hawaii	Targeted	The governor's executive order designates all health care facilities, professionals, and volunteers responding to the COVID-19 disaster as covered by emergency proclamation for the purposes of providing health care so long as actions do not constitute willful misconduct or gross negligence. Other provisions include immunity from civil damages for health care facilities that in good faith follow state and federal emergency orders and protections for facilities that cancel elective surgeries and procedures.
Idaho	None	

Illinois	Targeted	The governor's executive order provides immunity from civil damages for health care facilities, professionals, and volunteers rendering assistance in response to COVID-19 so long as actions do not constitute gross negligence or willful misconduct. Other provisions include immunity from civil damages for health care facilities and volunteers that in good faith follow state emergency orders and protections for facilities that cancel elective surgeries and procedures.
Indiana	None	
Iowa	Broad	State law provides for actual injury requirements related to COVID-19 exposure, a safe harbor for compliance with COVID-19 mitigation guidelines, and a limitation on premises liability. Other provisions include limitations on liability for health care providers and producers of qualified products that serve to mitigate or treat COVID-19.
Kansas	Broad	State law provides immunity for any person acting in substantial compliance with public health directives. Other provisions include protections for health care provider authorized to provide service within the state, manufacturers of COVID-19 testing and mitigation products, and adult care facilities.
Kentucky	None	
Louisiana	Broad	State law provides immunity from civil damages for any person, entity, or government that follows applicable COVID-19 mitigation procedures in the course of providing business operations. Other provisions include protections for entities that provide voluntary disaster relief services and a limitation on tort claims against employers by employees who are covered by workers' compensation unless exposure was intentional.
Maine	None	
Maryland	Targeted	The governor's executive order provides immunity from civil and criminal damages to health care providers and practitioners acting in good faith during health emergency proclamations.
Massachusetts	Targeted	State law provides immunity from civil damages for health care providers and facilities providing services so long as any act or omission does not constitute gross negligence or recklessness. Other provisions include protections for volunteer

		organizations and facilities that are used in responding to COVID-19.
Michigan	Targeted	The governor's executive order provides immunity from civil damages to health care professionals and designated facilities so long as actions do not constitute gross negligence.
Minnesota	None	
Mississippi	Broad	State law provides immunity from civil action for any person or business that follows in good faith applicable COVID-19 mitigation guidance. Other provisions include protections for health care professionals and facilities and manufacturers of COVID-19 testing and mitigation products.
Missouri	None	
Montana	None	
Nebraska	None	
Nevada	Targeted	The governor's executive order designates all providers of medical services related to COVID-19 as agents of the state and extends protections so long as actions do not constitute willful misconduct, gross negligence, or bad faith.
New Hampshire*	Broad	The state's emergency powers law provides protections for any private corporation that reasonably attempts to comply with state orders related to COVID-19. Other provisions include targeted protections for elderly care facilities.
New Jersey	Targeted	State law provides immunity from civil action for health care professionals and facilities providing services so long as any act or omission does not constitute a crime, fraud, or gross negligence. Other provisions include protections for health care facilities experiencing a shortage of medical supplies and equipment.
New Mexico	None	
New York	Targeted	State law provides civil and criminal liability to health care professionals and facilities for any harm allegedly sustained in the course of providing service so long as the service does not constitute willful or intentional misconduct or gross negligence. Other provisions include protections for volunteer organizations participating in COVID-19 mitigation activity.

North Carolina	Broad	State law provides immunity from civil damages for any person in absence of gross negligence or intentional wrongdoing. Other provisions include protections for health care facilities, volunteer organizations, and essential businesses as determined by the Governor.
North Dakota	None	
Ohio	None	
Oklahoma	Broad	State law provides protections for any person that follows COVID-19 mitigation federal or state regulations, a Presidential or Gubernatorial Executive Order, or additional applicable guidance. Other provisions include protections for manufacturers and users of certain COVID-19 mitigation products and health care facility and providers.
Oregon	None	
Pennsylvania	Targeted	The governor's executive order provides immunity from civil damages for all health care professionals and practitioners responding to COVID-19 so long as actions do not constitute gross negligence or willful misconduct. Other provisions include protections for any person or organization providing premises used for COVID-19 emergency services without compensation.
Rhode Island	Targeted	The governor's executive order designated all health care facilities, professionals, and other health care organizations responding to COVID-19 as disaster response workers and extends protections so long as actions do not constitute willful misconduct, gross negligence, or bad faith.
South Carolina	None	
South Dakota	None	
Tennessee	Targeted	The governor's executive order provides immunity from civil damages for voluntary health care providers in the event of an emergency declaration so long as actions do not constitute gross negligence or willful misconduct.
Texas	None	
Utah	Broad	State law provides immunity from civil damages for health care providers including those acting outside their scope of practice or using treatments that are not specifically approved for COVID-19 use so long as providers do not act in a manner that is

		grossly negligent or malicious. Other provisions include protections for persons on premises owned or operated by the person.
Vermont	Targeted	The governor's executive order provides immunity from civil damages for health care facilities, providers, and volunteers so long as actions do not constitute gross negligence or willful misconduct. Other provisions include protections for health care facilities that cancel non-essential elective procedures and actions taken due to health care facilities experiencing a shortage of medical personnel, supplies, or equipment.
Virginia*	Targeted	The state's emergency powers law provides immunity from civil damages for health care providers responding to a disaster so long as actions do not constitute gross negligence or willful misconduct. An additional executive order provided protections for health care facilities that cancel non-essential elective procedures and actions taken due to health care facilities experiencing a shortage of medical personnel, supplies, or equipment.
Washington	None	
West Virginia	None	
Wisconsin	Targeted	State law provides immunity from civil damages for health care professional, providers, and employees that provide good faith care or act in a way that is substantially consistent with standing medical guidance. Other provisions include protections for manufacturers of COVID-19 emergency medical supplies.
Wyoming	Broad	State law provides protections for any business entity that follows in good faith the instructions of a state, city, town or county health officer. Other provisions include protections for any health care providers or persons who follow the instructions of state health officers during COVID-19.

\* - identifies state (including District of Columbia) that has passed immunity laws prior to COVID-19 outbreak but requires state emergency declaration executive order to take effect

Sources: “State legislative and executive branch websites; American Tort Reform Association, [COVID-19 Resources](#), 7/16/20 update.”

