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TO: All EMCAB members, Regional EMS Councils, MA Hospital Emergency Departments, Ambulance Services

FROM: Carol Balulescu, Deputy General Counsel, DPH
Louise Goyette, Director, OEMS

DATE: October 27, 2003

RE: M.G.L. c. 111C, § 20: Protection from Liability for Physicians Providing Medical Oversight to MA Ambulance Services

This is to clarify limitations on liability of physicians pursuant to Section 20 of M.G.L. c.111C (Chapter 111C).

The Department has received questions from physicians regarding the applicability of this liability protection to medical directors providing medical control, but not on-line medical direction, to ambulance services. Section 20 of Chapter 111C provides broad liability protection for a physician's acts or omissions made in good faith while fulfilling duties required by Chapter 111C.

Section 20 specifically protects hospitals, physicians and nurses who provide on-line medical direction. Section 20 further contains a protection for **all** physicians broadly rendering duties pursuant to Chapter 111C:

“...nor shall any physician be liable in a suit for damages as a result of acts or omissions relating to the discharge of duties under [Chapter 111C], including, without limitation, duties as a medical director at the state or regional level, if such acts or omissions were made in good faith.”

Medical oversight provided to ambulance services is a clear duty under Chapter 111C and its implementing regulations, 105 CMR 170.000. The protection afforded by Section 20 clearly extends to acts or omissions made in good faith by any physician providing medical control pursuant to Chapter 111C or 105 CMR 170.000.

Any questions regarding this Advisory should be directed to Carol Balulescu, Deputy General Counsel at the Department of Public Health, at (617) 624-5220.