

Notes about Volunteer Protections

A note about self-deployment-as a local veterinarian, please be aware that there is always a possibility of liability, workers' comp and even malpractice issues if you work outside the system. If you have a formal agreement with your local jurisdiction and have been requested, ensure you have liability and workers' comp coverage under your local jurisdiction. Once you are "in the system" as part of the incident, you are working under the direction and authority of the jurisdiction (likely someone in the emergency management office).

Notes about coverage and protection from liability:

- If you are not on the jurisdiction's roster (or the state in the event you are part of a state team), you will be on your own for your insurance coverage which means you are working under your own liability insurance/workers' comp/malpractice. If you are part of a blanket coverage plan under your clinic and do not have your own policy, it will not cover you if you are working in the incident without your employer's consent.
- If you are working under the direction of a local jurisdiction or the state as part of the incident, you are shielded from malpractice claims. Here is the important statute to know: Under **§12.22, Subds. 2a and 2b**, individuals and entities who volunteer, register with the state / local jurisdiction, and act under the direction and control of the state / locale jurisdiction, are considered employees of the state / locale jurisdiction for purposes of workers' compensation and tort claim defense, indemnification, and immunity.
- Under **§145A.06, Subd. 7(f)(1)**, a Minnesota Responds MRC volunteer responding to a request for training or assistance at the call of the MDH Commissioner is deemed a state employee for purposes of workers' compensation, tort claim defense, indemnification, and immunity.
- Under **§145A.04, Subd. 6d**, a Minnesota Responds MRC volunteer responding to a request for training or assistance at the call of a community health board, city, or county is deemed an employee of that jurisdiction for purposes of workers' compensation, tort claim defense, indemnification, and immunity.

These statutes underscore the need to be recognized and listed on the jurisdiction's roster as a volunteer in any incident.