Letters to the Editor

VOLUNTEERS, PUBLIC HEALTH TRAINING, AND LEGAL LIABILITY

Rosenbaum et al. did a very comprehensive job of reviewing the issue of extending comprehensive state liability legal protections for professional health-care volunteers during public health emergencies. One additional aspect of extending legal protection to health-care volunteers that was just outside the bounds of this review is the issue of extending legal liability protections that would facilitate health-care volunteers' participation in full-scale trainings.

Liability coverage is often connected to one's job, and unless the agency/organization has policies that allow for extending job-site coverage to volunteer activities, many clinicians are unable to participate in full-scale drills. One such drill would be opening a point of distribution (POD) to administer seasonal flu vaccine as a practice for a pandemic flu situation or to use the vaccine as an as-close-as-possible proxy for a mass distribution of antibiotics. In Nashua, New Hampshire, we dealt with this by having student nurses and their faculty give the immunizations. The schools of nursing covered the liability because the POD drills were considered to be school training exercises. Although this had its own shortcomings, it did allow the health regions to practice their POD plans. However, in a declared emergency, it is not assured that student nurses would be available for use in this fashion. Thus, public health may have to rely on clinicians who have

not had an opportunity to practice giving pharmaceuticals in a POD setting.

Many coaches and trainers will say that you play as you practice. If it is difficult to get health-care volunteers into the practice sessions, it carries the risk of impeding the delivery of services during the emergency.

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REFERENCE

Rosenbaum S, Harty MB, Sheer J. State laws extending comprehensive legal liability protections for professional health-care volunteers during public health emergencies. Public Health Rep 2008;123:238-41.

ROSENBAUM RESPONDS

We concur that to the extent that training exercises encompass the actual provision of health care, extending liability protections to the training of clinical responders represents an important extension of liability reform in a preparedness context.

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