

Chapter 02 | Policies & Procedures

02.13 Traveler Assistance

OFFERING ASSISTANCE TO TRAVELERS

Wisconsin State Law (Good Samaritan Law) provides liability immunity to those who are not health care professionals who aid victims of accidents. The law is as follows: 895.48

Civil liability exemption; emergency medical care. (1) Any person who renders emergency care at the scene of any emergency or accident in good faith shall be immune from civil liability for his or her acts or omissions in rendering such emergency care.

In keeping with the law's intent, Supervisory Staff may certainly aid travelers who are in need due to an accident or health emergency. Supervisory Staff are cautioned, however, not to try to extend assistance past what medical or first aid knowledge they possess. The first rule in offering assistance is "do no harm".

Any Supervisory Staff would be fully expected to call 911 for assistance at a minimum if a traveler needs medical care. In addition, it would be expected that Supervisory Staff would offer bandages, blankets and pillows, chairs, or other such items if the need existed. Whether to move a victim or not has to be a decision made on the merits of such a move, given the conditions (i.e., will further harm come to the victim where he or she is presently?).

Supervisory Staff should never give out any medication to any traveler, no matter how benign the medication may seem (tylenol, aspirin, etc.).

First aid should be administered to only a level that the Supervisory Staff feels comfortable in giving to the traveler.

OTHER TYPES OF ASSISTANCE

It should be noted that state law only exempts people helping in medical emergencies or accidents. Therefore, Supervisory Staff and staff are strongly discouraged from offering assistance that could result in complications and lawsuits. Supervisory Staff should not offer assistance that could result in property or personal damage. Such situations as jumping dead batteries, changing tires, trying to open locked automobiles, or other similar requests that travelers may ask of Supervisory Staff should be politely declined.

Instead, Supervisory Staff should have a list of towing services, automobile repair shops, State Patrol, and County Sheriff phone numbers to offer to the traveler. In addition, Supervisory Staff may offer the site phone for a distressed traveler to use to call for assistance. At least two numbers should be provided for each service, and the traveler should choose which service to call.

Allowing the traveler to choose the service removes the RF Supervisory Staff from any perceived "partnership" with the Service Provider.

In all cases, common sense should be employed to ensure that Service Providers do not put themselves in situations that could lead to unnecessary litigation.