

# SCHAUM LAW OFFICES

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## **TO: MEMBERS OF THE LONG ISLAND JEWISH ORGANIZED MEDICAL STAFF**

*We thought you might be interested in learning the historical background of the Good Samaritan Law which was designed to shield a physician from liability when treating a patient in an emergent situation while removed from any health care situs. The patient in need of care can receive it and the physician need not be concerned with a claim of negligence for the care they render without thought of being paid.*

*The New York statute was enacted in 1964 and was criticized by the trial bar and was the focus of critical law review articles.*

*New York was not the first state to create this needed legislation- California had cleared the path some years before. Interestingly, a study of creative legislative and public interest activities shows that New York frequently followed California's steps. Example- the creation of the New York State University system closely followed that of its sister state.*

*Returning to the Good Samaritan Law- we had the opportunity of meeting with the Good Sam Legislative author some years ago and he related that the idea was first broached to him by physician leaders from Long Island Jewish Hospital. The physicians had urged that the law would not only protect the assisting physician but would also protect the general public. It was quickly supported by MSSNY which, at the time, had its headquarters*

*conveniently located in Lake Success.*

*Over the years other health care professionals have sought Good Sam protection. During the recent Covid outbreak the Governor's office expanded its provisions to further safeguard the health care profession from liability.*

*Good Samaritan protection has been sought by other professionals but they have failed. Licensed engineers who were called upon by New York City during the first World Trade Center attack responded without thought of compensation but were denied the benefit of Good Samaritan protection when they petitioned the Legislature. A nod of thank-you to the Staff Society forebears for their vision.*

*Respectfully submitted,*

*Schaum Law Offices*