

TITLE I

THE STATE AND ITS GOVERNMENT

CHAPTER 21-P

DEPARTMENT OF SAFETY

Homeland Security and Emergency Management

Section 21-P:42-a

21-P:42-a Novel Coronavirus Disease (COVID-19); Health Facilities. – Acute care hospitals, assisted living facilities, long-term care facilities, nursing facilities, residential care facilities, ambulatory care clinics (as defined in RSA 151, RSA 151-A, RSA 151-D, RSA 151-E and RSA 151-H), and any other similar facilities providing care to elderly or infirm patients ("health facilities"), and the employees, agents and volunteers of such health facilities, are deemed to have been engaged in preparing for and/or carrying out "emergency management" functions for the purposes of RSA 21-P:35 when complying, or reasonably attempting to comply, with any executive order, agency order or rule, including but not limited to waivers from the Centers for Medicare and Medicaid Services (CMS) both issued as blanket waivers by CMS and as requested by New Hampshire department of health and human services pertaining to the state of emergency declared under state and/or federal law in response to the Novel Coronavirus (COVID-19). All such orders and rules are deemed to constitute orders and/or rules adopted and/or regulations promulgated pursuant to RSA 21-P. Accordingly, no such organization or person shall be liable for the death of or injury to persons, or for damage to property, as a result of such compliance or reasonable attempts to comply with such an emergency order or rule under this section. This section shall not apply to actions of health care facilities, employees, agents, or volunteers of such facilities that are not related to compliance or reasonable attempts at compliance with an emergency order or rule. This section shall not apply to actions performed after such an emergency order or rule is no longer in effect.

Source. 2021, 179:2, Pt. III, Sec. 1, eff. July 30, 2021.