

Kentucky Department for Public Health

Medical Reserve Corps

Volunteer Acknowledgement Form

Workers' Compensation Coverage

Kentucky's Medical Reserve Corps (MRC) volunteers have workers' compensation coverage under specific circumstances through the Kentucky Department for Public Health (KDPH). In accordance with KRS 342.640(3), a volunteer who is active in the KHELPS system, an active member of the medical reserve corps, and in good standing with the department shall be considered an employee of the state for purposes of any medical workers' compensation benefits concerning any injury incurred while traveling to and from or while providing emergency response services or health services in response to an emergency, declared emergency, or in disaster-related exercises, testing, or other training activities as directed by the department.

Active MRC volunteers in good standing will **only** be covered under Kentucky's Workers' Compensation when **all** the following circumstances have been met:

- The volunteer is approved and active in the KHELPS system;
- The volunteer is responding to an opportunity upon request of the Kentucky Department for Public Health;
- The volunteer requested to respond to a posted opportunity through the KHELPS system;
- The volunteer's request to respond to an opportunity has been approved by the MRC Unit Coordinator, State Coordinator or an authorized KHELPS Program Manager;
- The MRC Unit Coordinator, State Coordinator or an authorized KHELPS Program Manager has scheduled the volunteer to respond to the opportunity;
- The volunteer has been assigned to a shift by the MRC Unit Coordinator, State Coordinator or an authorized KHELPS Program Manager;
- The volunteer receives an email notification from the KHELPS system with the assignment details;
- The volunteer is performing authorized services as directed by KDPH, the MRC Unit Coordinator/State Coordinator, or the designated Site Supervisor.

Workers' compensation benefits for volunteers shall be limited to those medical benefits provided to state employees.

Liability of Volunteers

Kentucky's MRC volunteers are protected from liability through state and federal regulations. In accordance with [42 U.S.C. 14501-05](#), [42 U.S.C. § 247d-6d](#), [KRS §39A.350 to KRS §39A.366](#), a volunteer who is active in the KHELPS system, an active member of the medical reserve corps, and in good standing with the department shall be considered exempt from liability when providing emergency response services or health services in response to an emergency, declared emergency, or participating in approved disaster-related exercises, testing, or other training activities as directed by the department.



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A volunteer is defined by [42 U.S.C. 14501-05](#), also known as the Volunteer Protection Act (VPA), as anyone who performs services (including officers, directors, trustees, and direct service volunteers) for a nonprofit organization or governmental entity, and either receives no compensation for services rendered or does not receive anything of value in lieu of compensation in excess of \$500 per year.

[Applicable to medical volunteers only] In accordance with [KRS 39A.350](#) a “voluntary health practitioner” is defined as a health practitioner who provides health services, whether or not the practitioner receives compensation for those services.

Active MRC volunteers will **only be exempt from torts or malpractice liability** under Federal and State Statutes when all circumstances have been met:

- The volunteer was acting within the scope of the volunteer's responsibilities when responding to an emergency, declared emergency, or participated in approved disaster-related exercises, testing, or other training activities as directed by the department;
- If appropriate or required, the volunteer was properly licensed, certified, or authorized by the appropriate authorities for the activities or practice in the State in which the harm occurred;
- The harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the [harmed] individual;
- The harm was not caused by the volunteer operating a motor vehicle, vessel, aircraft, or other vehicle.

I have carefully read and understand the Volunteer Acknowledgement Form and understand the criteria determining eligibility.

Printed Name

Signature

Date