



## Checklist for Volunteer Immunity

Must comply with all of the following before providing care in order to qualify for immunity:

- ☐ Determine if the patient is an indigent and uninsured person. Must meet all of the following:
  - ☐ The person's income is not greater than 200 percent of the poverty line as defined by the United States Office of Management and Budget.
  - ☐ The person is not a recipient or eligible to receive medical assistance under the Medicaid system, or assistance under any other governmental health care program. Services provided for a Medicaid eligible individual or current Medicaid recipient may qualify for immunity protections if provided in a free clinic setting that has its primary mission the provision of health care services through the use of volunteer professionals.
  - ☐ The person is not a policy holder, enrollee or other covered individual under a health insurance or healthcare policy.
- ☐ Determine in good faith that the patient is mentally capable of giving informed consent to dental care and is not subject to duress or under undue influence.
- ☐ Verbally inform the patient of Ohio law, specifically, that by receiving free care and signing an informed consent, the patient has relinquished any right to legal action against the treating dentist(s) and his/her/their practice for any problem related to the treatment.
- ☐ Obtain written confirmation in the form of informed consent and written waiver from the patient that the patient understands the provisions contained in state law.
- ☐ Not all procedures that are performed in a dental office may qualify for immunity.
  - ☐ The law specifically states that operations do not qualify and defines an operation as any procedure that involves cutting or otherwise infiltrating human tissue by mechanical means. Operation does not include the administration of medication by injection and does not include routine dental restorative procedures, the scaling of teeth, or extractions of teeth that are not impacted.
- ☐ Most importantly, the dental services delivered **MUST** be provided for **FREE**.