

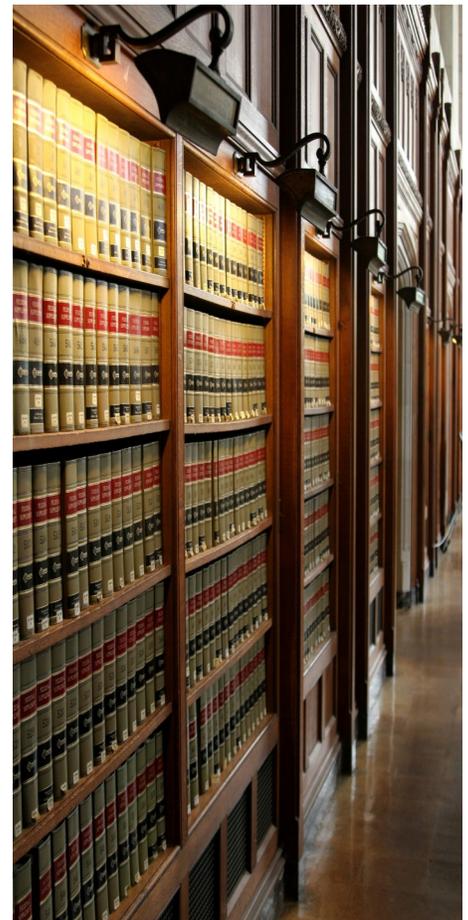
## **Ambulance Drivers Not Necessarily Protected from Liability for Negligence for Auto Accident During Non-Emergency Transport**

An Illinois Appellate Court has found that the immunity which ordinarily protects the emergency care workers staffing an ambulance, does not extend to protect such workers from claims by third parties who are not patients, and are injured due to the negligent operation of the ambulance by the ambulance driver. In that case, the injured motorist brought a negligence action against Superior Ambulance, and its driver, arising out of an automobile accident. The ambulance operator/company asserted it was immune from liability for such injuries and damages under the Illinois Emergency Medical Services System Act, contending that the EMS Act should be interpreted broadly to provide emergency medical personnel general immunity from claims for negligence, while engaged in their duties as ambulance workers. The Illinois Court of Appeals has held however that the ambulance operator/company was not immune because the Emergency Medical Services System Act did not apply to a negligence action where the injured party is a third party driver, not a passenger or patient in the ambulance. *Wilkins v. Williams*, 2012 IL App (1st) 101805. The Court's analysis appears to extend to governmental ambulance workers.

For more information about matters discussed in this issue, please feel free to contact Klein, Thorpe and Jenkins.

For a more detailed summary of the decision, click the following link:

[\*Wilkins v. Williams\*, 2012 IL App \(1st\) 101805](#)



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