

G-030 MEDICAL AMNESTY

Medical amnesty—also called the Good Samaritan or 911 protection law—shields individuals from severe disciplinary or legal consequences in a drug- or alcohol-related emergency. At Southwest Minnesota State University (SMSU), this policy aims to remove obstacles that might prevent students from calling for professional medical assistance in potentially life-threatening situations involving alcohol or drug use.

Eligibility Criteria

Students qualify for medical amnesty when, in a non-staff role, they call for help either for themselves or for another student whom they reasonably believe is at risk of serious harm without emergency evaluation.

Only two individuals are covered by this policy:

- The student experiencing the medical emergency
- The student who first dialed 911 or contacted University Public Safety

The emergency call must be placed before any SMSU staff, law enforcement, or medical responders arrive on the scene.

Impact on Disciplinary Process

Seeking emergency medical assistance will serve as a mitigating factor in conduct proceedings:

- The caller may be required to complete educational programs or counseling focused on alcohol and drug use. Any disciplinary probation or suspension will be deferred pending successful completion of these sanctions.
- The student receiving medical aid may also need to participate in similar educational or counseling programs. Their probation or suspension will likewise be deferred until they fulfill the prescribed requirements.

Scope and Limitations

This amnesty applies only to conduct code violations related to alcohol or other drugs. If either amnesty-eligible student commits another alcohol- or drug-related violation within one calendar year, disciplinary measures may be imposed for both incidents.

Medical amnesty does not protect against disciplinary action for other misconduct under the Student Conduct Code, including but not limited to sexual violence, physical violence, hazing, vandalism, or weapons violations.

If local law enforcement assistance is required, SMSU cannot guarantee immunity for students from citation, arrest, or criminal prosecution. Individuals, however, may qualify for prosecution immunity under Minnesota Statute 340A.503 Persons Under 21; Illegal Acts. Subd. 8.

References

Minnesota Statute 340A.503 Persons Under 21; Illegal Acts (<https://www.revisor.mn.gov/statutes/cite/340A.503>)

Related Documents

Board Policy 3.6, “Student Conduct (<https://www.minnstate.edu/board/policy/306.html>)”

Board Policy 5.18, “Alcoholic Beverages or Controlled Substances on Campus (<https://www.minnstate.edu/board/policy/518.html>)”
System Procedure 1C.0.1, “Employee Code of Conduct (<https://www.minnstate.edu/board/procedure/1c0p1.html>)”
SMSU Student Handbook, “Prohibited Code of Conduct (<https://catalog.smsu.edu/student-handbook/rights-responsibilities/prohibited-code-conduct/>)”

Policy History

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Date of Review:

Date and Subject of Amendments

9/4/2025 – Creation of policy