

(5) "VOLUNTEER" MEANS AN OFFICER, DIRECTOR, TRUSTEE, OR OTHER PERSON WHO PROVIDES SERVICES OR PERFORMS DUTIES ON BEHALF OF A SPORTS PROGRAM WITHOUT RECEIVING COMPENSATION.

(b) A physician who voluntarily and without compensation [renders] PROVIDES services OR PERFORMS DUTIES as a physician for a sports program, whether or not the services are [rendered] PROVIDED OR THE DUTIES ARE PERFORMED at the request of the school's or institution's administration or a county board of education, is not liable for any damages for any act or omission resulting from the [rendering] PROVIDING of the services OR THE PERFORMING OF THE DUTIES unless the act or omission constitutes:

- (1) Willful or wanton misconduct;
- (2) Gross negligence; or
- (3) Intentionally tortious conduct.

(c) This section shall apply only to:

- (1) Treatment at the site of the sports program;
- (2) Treatment at any practice or training for the sports program; and
- (3) Treatment administered during transportation to or from the sports program, practice, or training.

(d) (1) THIS SECTION DOES NOT CREATE, AND MAY NOT BE CONSTRUED AS CREATING, A NEW CAUSE OF ACTION OR SUBSTANTIVE LEGAL RIGHT AGAINST A PHYSICIAN OR VOLUNTEER.

(2) This section does not affect, and may not be construed as affecting, any immunities from civil liability or defenses established by any other provision of the Code or [by] AVAILABLE AT common law to which a volunteer or physician may be entitled.

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(a) (1) In this section the following words have the meanings indicated.

(2) (I) "AGENT OF AN ASSOCIATION OR ORGANIZATION" MEANS A DIRECTOR, OFFICER, TRUSTEE, EMPLOYEE, OR VOLUNTEER OF AN ASSOCIATION OR ORGANIZATION WHO PROVIDES SERVICES OR PERFORMS DUTIES ON BEHALF OF THE ASSOCIATION OR ORGANIZATION.

(II) "AGENT OF AN ASSOCIATION OR ORGANIZATION" DOES NOT INCLUDE AN INDEPENDENT CONTRACTOR WHO PROVIDES SERVICES OR PERFORMS DUTIES ON BEHALF OF THE ASSOCIATION OR ORGANIZATION ON A CONTRACTUAL BASIS.

[(2)](3) "Association or organization" means:

- (i) An athletic club;
- (ii) A charitable organization;