

Other Medical Device Use and Release Form

Due to public interest, Jervis Public Library is making a variety of items that are used to potentially treat medical conditions diagnosed by a medical professional. Items are made available to the public by loaning them to Mid York Library System cardholders in good standing.

Consent to Usage

Borrower acknowledges that it has received the Equipment at no cost for the purpose of self-treating and self-monitoring specific conditions. Use of this monitor by the borrower may include, but is not limited to, treating or measuring conditions that were diagnosed by a medical professional.

Disclaimer of Warranty

Jervis Public Library provides this Equipment in an “as is” condition with all faults, and makes no warranties or guarantees of any kind, and expressly disclaims any and all warranties of any kind or nature, whether express, implied, or statutory regarding the Equipment, including but not limited to the accuracy, completeness, correctness, timeliness or usefulness of any information, programs, products, services, or other material provided through or derived from use of this Equipment, or of reliability, non-infringement, merchantability or fitness for a particular purpose.

Jervis Public Library makes no representation, warranty or guarantee that use of the Equipment will be uninterrupted, timely, secure, risk-free, error free, or free of viruses or other harmful elements, and such warranties are expressly disclaimed.

By accessing or using the Equipment, the borrower agrees to comply with all applicable federal, state, and local laws and/or regulations which may relate to the Equipment, including, but not limited to, any laws related to privacy and/or protection of individuals’ protected health information.

Provision of Equipment Does Not Amount to Recommendation or Endorsement of Product

By providing the equipment to the Borrower, Jervis Public Library is neither recommending nor endorsing the Equipment, the manufacturer, or any related products. Jervis Public Library shall not be liable, directly or indirectly, for any damage or loss caused or alleged to be caused by or in connection with use of or reliance on any of the Equipment or the Equipment’s products or services.

Medical Disclaimer

By borrowing and using the Equipment, the borrower acknowledges that Jervis Public Library’s provision of Equipment is to provide an experience with the Equipment and to produce general information only. Use of the Equipment is not intended to result in, or to be construed as, medical advice, diagnosis, and/or treatment by physicians, and/or patients or other individuals, and is not a substitute for consultations with qualified health professionals who are familiar with any patient’s individual medical needs.

Any health screening measurements, tests, explanations, etc. derived from the Equipment do not establish a physician-patient relationship.

Any concerns about a Borrower's health should be immediately addressed by a physician, and it is the Borrower's responsibility, and not that of Jervis Public Library, or other organizations associated with this health screen or perceived diagnosis or condition, to schedule a visit with a healthcare provider in order to confirm the results of any health screen or experience and to obtain advice and treatment from a healthcare provider.

Limitation of Liability

By borrowing this equipment or using it on site, the Borrower/User agrees not to sue, and to forever and completely release, indemnify, defend, save and hold harmless Jervis Public Library, their affiliates, and its and their officers, directors, employees, contractors, volunteers, sponsors, and agents from all claims arising out of or related to access or use of Equipment.

In no event will Jervis Public Library, or its and their affiliates, and its and their officers, directors, employees, contractors, volunteers, sponsors and agents be liable to Borrower or User, anyone claiming by, through or under Borrower or User, or anyone else for

- Any decision or action taken, or not taken, in reliance upon the information contained or provided through the Equipment,
- Claims arising out of or related to the Equipment,
- Borrower's use of Equipment, or
- For any incidental, indirect, special, consequential or punitive damages, including but not limited to, possible health side effects, loss of revenues, damages, claims, demands or actions.

Personal Information

Borrower understands that Jervis Public Library does not retain any screening results or any other information provided by the participants in this program, or generated from Borrower's or User's use of the Equipment.

The foregoing release shall be as broad and inclusive as is permitted by the State or Province in which the Borrower and/or User is located. If any portion of it is held invalid, the remainder shall continue in full force and effect.

I have read, understand, and agree to this Equipment Release.

BORROWER'S NAME_____

BORROWER'S SIGNATURE_____

BORROWER'S LIBRARY CARD NUMBER_____

LIBRARY REPRESENTATIVE'S NAME AND INITIALS_____

DATE: _____

9/21/22; 2/1/26