

SUBSTITUTE FOR
SENATE BILL NO. 857

A bill to amend 1963 PA 17, entitled

"An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health,"

(MCL 691.1501 to 691.1507) by adding section 3.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3. (1) AN INDIVIDUAL WHO IN GOOD FAITH BELIEVES THAT
2 ANOTHER INDIVIDUAL IS SUFFERING THE IMMEDIATE EFFECTS OF AN OPIOID-
3 RELATED OVERDOSE AND WHO ADMINISTERS AN OPIOID ANTAGONIST TO THE
4 OTHER INDIVIDUAL IS NOT LIABLE IN A CIVIL ACTION FOR DAMAGES
5 RESULTING FROM THE ADMINISTRATION.

6 (2) THIS SECTION DOES NOT APPLY IN ANY OF THE FOLLOWING
7 CIRCUMSTANCES:

8 (A) IF THE INDIVIDUAL WHO ADMINISTERS THE OPIOID ANTAGONIST IS

1 A PHYSICIAN, PHYSICIAN'S ASSISTANT, REGISTERED NURSE, OR LICENSED
2 PRACTICAL NURSE AND THE OPIOID ANTAGONIST IS ADMINISTERED IN A
3 HOSPITAL.

4 (B) IF THE CONDUCT OF THE INDIVIDUAL ADMINISTERING THE OPIOID
5 ANTAGONIST IS WILLFUL OR WANTON MISCONDUCT.

6 (3) AS USED IN THIS SECTION:

7 (A) "OPIOID ANTAGONIST" MEANS NALOXONE HYDROCHLORIDE OR ANY
8 OTHER SIMILARLY ACTING AND EQUALLY SAFE DRUG APPROVED BY THE
9 FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF DRUG
10 OVERDOSE.

11 (B) "OPIOID-RELATED OVERDOSE" MEANS A CONDITION, INCLUDING,
12 BUT NOT LIMITED TO, EXTREME PHYSICAL ILLNESS, DECREASED LEVEL OF
13 CONSCIOUSNESS, RESPIRATORY DEPRESSION, COMA, OR DEATH, THAT RESULTS
14 FROM THE CONSUMPTION OR USE OF AN OPIOID OR ANOTHER SUBSTANCE WITH
15 WHICH AN OPIOID WAS COMBINED OR THAT A LAYPERSON WOULD REASONABLY
16 BELIEVE TO BE AN OPIOID-RELATED OVERDOSE THAT REQUIRES MEDICAL
17 ASSISTANCE.