

SENATE BILL NO. 1051

April 15, 1998, Introduced by Senators SHUGARS, GEAKE, BOUCHARD, GAST, SCHWARZ, HOFFMAN, DUNASKISS, NORTH, EMMONS, MC MANUS, ROGERS, GOUGEON, STEIL, BENNETT, STILLE and JAYE and referred to the Committee on Health Policy and Senior Citizens.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 20965 (MCL 333.20965), as amended by 1997 PA
78.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 20965. (1) Unless an act or omission is the result of
2 gross negligence or willful misconduct, the acts or omissions of
3 a medical first responder, emergency medical technician, emer-
4 gency medical technician specialist, paramedic, or medical direc-
5 tor of a medical control authority or his or her designee while
6 providing services to a patient outside a hospital, or in a hos-
7 pital before transferring patient care to hospital personnel,
8 that are consistent with the individual's licensure or additional
9 training required by the local medical control authority,
10 INCLUDING, BUT NOT LIMITED TO, SERVICES DESCRIBED IN

1 SUBSECTION (2), do not impose liability in the treatment of a
2 patient on those individuals or any of the following persons:

3 (a) The authorizing physician or physician's designee.

4 (b) The medical director and individuals serving on the
5 advisory body of the medical control authority.

6 (c) The person providing communications services or lawfully
7 operating or utilizing supportive electronic communications
8 devices.

9 (d) The life support agency or an officer, member of the
10 staff, or other employee of the life support agency including,
11 but not limited to, an ambulance operation operating under an
12 ambulance operation upgrade license issued under section 20920(7)
13 to (12).

14 (e) The hospital or an officer, member of the staff, nurse,
15 or other employee of the hospital.

16 (f) The authoritative governmental unit or units.

17 (g) Emergency personnel from outside the state.

18 (2) SUBSECTION (1) APPLIES TO SERVICES CONSISTING OF THE USE
19 OF AN AUTOMATED EXTERNAL DEFIBRILLATOR ON AN INDIVIDUAL WHO IS IN
20 OR IS EXHIBITING SYMPTOMS OF CARDIAC DISTRESS.

21 (3) ~~(2)~~ Subsection (1) does not limit immunity from
22 liability otherwise provided by law for any of the persons listed
23 in subsection (1).