

ALLOW CORRECTIONS OFFICERS TO ADMINISTER OPIOID ANTAGONISTS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4056 as introduced
Sponsor: Rep. Sarah Anthony
Committee: Health Policy
Complete to 3-21-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4056 would expand the definition of “peace officer” in 2014 PA 462, an act dealing with the carrying and administering of opioid antagonists. Opioid antagonists are drugs approved by the federal Food and Drug Administration for the treatment of drug overdoses.

Currently, 2014 PA 462 provides that law enforcement agencies may purchase opioid antagonists and provide them to “peace officers.” Peace officers may then administer the drugs to an individual if they (1) have received training in their administration and (2) have reason to believe that the individual is experiencing an opioid-related overdose. As long as the law enforcement agency and peace officer act in good faith and their acts do not constitute gross negligence, they are immune from civil liability and criminal prosecution.

The bill would expand the definition of “peace officer” to include the following:

- **Local corrections officer:** any person employed by a county sheriff in a local correctional facility as a corrections officer or that person’s supervisor or administrator.
- **State correctional officer:** any person employed by the Department of Corrections in a correctional facility as a correctional officer or a corrections medical aide, or that person’s immediate supervisor.

The bill would take effect 90 days after enactment.

MCL 28.541

BACKGROUND:

2014 PA 462 provided that law enforcement agencies may purchase opioid antagonists and provide them to “peace officers.” However, while the definition of peace officer in that bill provided for members of law enforcement agencies, the sergeants at arms of both houses of legislature, law enforcement officers of multi-county metropolitan districts, and police officers or public safety officers of community colleges, colleges and universities, **it did not include corrections officers.** This bill would remedy that apparent oversight.

Many jails and prisons do not have full-time medical staff, and this bill would allow appropriately trained corrections officers to administer opioid antagonists in case of emergency, rather than waiting for paramedics to arrive.

FISCAL IMPACT:

House Bill 4056 would not have a fiscal impact on the state or local units of government.

Legislative Analyst: Jenny McInerney
Fiscal Analysts: Marcus Coffin
Robin Risko

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.