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House Bill 5417 (as reported without amendment)  
House Bill 5418 (Substitute H-4 as reported without amendment)  
House Bill 5419 (as reported without amendment)  
Sponsor: Representative Rebekah Warren (H.B. 5417 & 5418)  
Representative Daire Rendon (H.B. 5419)  
House Committee: Judiciary  
Senate Committee: Families, Seniors, and Veterans

### **CONTENT**

House Bill 5417 would amend the Michigan Do-Not-Resuscitate Procedure Act to do the following:

- Allow a guardian with the power to execute a do-not-resuscitate (DNR) order to execute the order on behalf of a ward who was a minor child.
- Require a guardian who executed a DNR order to provide a copy of the order to the administrator of the ward's school or to the administrator's designee, if applicable.
- Allow a parent to execute a DNR order on behalf of his or her minor child, and if the parent shared with another parent legal decision-making authority, require both parents to execute the order.
- Require a parent who executed an order to maintain possession of the order and, if applicable, provide a copy of the order to the administrator of the minor child's school or to the administrator's designee, or the administrator of a facility in which the minor child was a patient or resident or to the administrator's designee, among other things.
- Allow a parent to revoke an order on behalf of a declarant.
- Require a form for a DNR order to include a parent consent section that contained certain language prescribed by the bill.
- Require an individual who observed a declarant's revocation of a DNR order to deliver it in writing to the administrator of a school, or his or her designee, if the declarant was a pupil of a school.
- If the declarant were a minor child who was enrolled and located at a school, prohibit an individual who determined that the declarant was wearing a DNR identification bracelet or had actual notice of a DNR order for the declarant from attempting to resuscitate the declarant before health professionals arrived at his or her location.

House Bill 5418 (H-4) would amend the Revised School Code to do the following:

- Require an administrator of a public or nonpublic school, or his or her designee, who received a copy of a DNR order executed under Michigan Do-Not-Resuscitate Procedure Act from a parent or legal guardian of a pupil enrolled in the school to place in a file the order or its revocation and determine if an order from the preceding school year was still in effect, among other things.
- Require the administrator, or his or her designee, who received actual notice of a revocation of a DNR order to provide actual notice of the revocation to each teacher or other school employee who provided the instructional or noninstructional services directly to the pupil.

- Require the board of the school district or similar leadership for a public school or nonpublic school to ensure that timely and appropriate training regarding compliance with a DNR order was provided to each teacher or other school employees who provide services to a pupil who had on file a copy of a DNR order.
- Exempt a school administrator, teacher, or other school employee from civil or criminal liability under certain circumstances related to a DNR order.
- Require the administrator of a public or nonpublic school, or his or her designee, who received a copy of a physician orders for scope of treatment (POST) form from a parent or legal guardian of a pupil enrolled in the school to file a copy of the POST form and determine if the POST form from the preceding year were still in effect, among other things.
- Require the administrator, or his or her designee, who received actual notice that a POST form had been revoked to place the revocation in the file immediately and to provide actual notice of the revocation to each teacher or other school employee who provided instructional or noninstructional services directly to the pupil.
- Require the board of a school district or similar leadership for a public school or nonpublic school to ensure that timely and appropriate training regarding compliance with the POST form was provided to each teacher or other school employee who provided services to the pupil.
- Exempt a school administrator, teacher, or other school employee from civil or criminal liability under certain circumstances related to a POST form.

House Bill 5419 would amend the Estate and Protected Individuals Code to allow a guardian to execute a DNR order on behalf of a ward as proposed in House Bill 5417.

House Bill 5417 and House Bill 5418 (H-4) are tie-barred. House Bill 5419 is tie-barred to House Bill 5417.

MCL 333.1052 et al. (H.B. 5417)  
Proposed MCL 380.1180 & 380.1181 (H.B. 5418)  
MCL 700.5215 (H.B. 5419)

Legislative Analyst: Tyler VanHuyse

### **FISCAL IMPACT**

The bills would not have a fiscal impact on the Department of Education and would have a minimal fiscal impact on schools that received a DNR order or POST form for a student.

A school that received a DNR order or POST form for a student would incur minor administrative costs to update the student's health file (initially and annually), inform teachers and necessary school employees, and provide training to teachers and employees who care for the student. These costs likely would be minimal and limited to schools serving a small population of students across the State.

Date Completed: 7-29-20

Fiscal Analyst: Cory Savino