HOUSE BILL No. 5406

(as amended May 22, 2014)

March 11, 2014, Introduced by Reps. Forlini, Graves, Lane, Yanez, Zorn, Crawford, Lauwers and Kowall and referred to the Committee on Judiciary.

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
   CIRCUMSTANCES:**
   **(A) IF THE INDIVIDUAL WHO ADMINISTERS THE OPIOID ANTAGONIST IS A
   PHYSICIAN, PHYSICIAN'S ASSISTANT, REGISTERED NURSE, OR LICENSED PRACTICAL
   NURSE AND THE OPIOID ANTAGONIST IS ADMINISTERED IN A HOSPITAL.**
   (B) IF] THE CONDUCT OF THE

7 INDIVIDUAL ADMINISTERING THE OPIOID ANTAGONIST IS WILLFUL OR WANTON

1 **MISCONDUCT.**

2 **(3) AS USED IN THIS SECTION:**

3 **(A) "OPIOID ANTAGONIST" MEANS [NALOXONE HYDROCHLORIDE OR ANY OTHER**

4 **SIMILARLY ACTING AND EQUALLY SAFE DRUG APPROVED BY THE FEDERAL FOOD AND**

5 **DRUG ADMINISTRATION FOR THE TREATMENT OF DRUG OVERDOSE.**

6 **]**

7 **(B) "OPIOID-RELATED OVERDOSE" MEANS A CONDITION, INCLUDING,**

8 **BUT NOT LIMITED TO, EXTREME PHYSICAL ILLNESS, DECREASED LEVEL OF**

9 **CONSCIOUSNESS, RESPIRATORY DEPRESSION, COMA, OR DEATH, THAT RESULTS**

10 **FROM THE CONSUMPTION OR USE OF AN OPIOID OR ANOTHER SUBSTANCE WITH**

11 **WHICH AN OPIOID WAS COMBINED OR THAT A LAYPERSON WOULD REASONABLY**

12 **BELIEVE TO BE AN OPIOID-RELATED OVERDOSE THAT REQUIRES MEDICAL**

13 **ASSISTANCE.**