

Act No. 30
Public Acts of 1987
Approved by the Governor
May 26, 1987
Filed with the Secretary of State
May 26, 1987

**STATE OF MICHIGAN
84TH LEGISLATURE
REGULAR SESSION OF 1987**

Introduced by Senators Ehlers, Kelly, Nichols, Cropsey, Fredricks, Sederburg, Vaughn, Engler and Binsfeld

ENROLLED SENATE BILL No. 22

AN ACT to amend the title and section 1 of Act No. 17 of the Public Acts of 1963, entitled as amended "An act to relieve certain persons from civil liability when rendering emergency care or when participating in a mass immunization program approved by the department of public health," being section 691.1501 of the Michigan Compiled Laws; and to add section 7.

The People of the State of Michigan enact:

Section 1. The title and section 1 of Act No. 17 of the Public Acts of 1963, being section 691.1501 of the Michigan Compiled Laws, is amended and section 7 is added to read as follows:

TITLE

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.

Sec. 1. (1) A physician, registered professional nurse, or licensed practical nurse who in good faith renders emergency care at the scene of an emergency, where a physician-patient relationship, registered professional nurse-patient relationship, or licensed practical nurse-patient relationship did not exist before the advent of the emergency, shall not be liable for civil damages as a result of acts or omissions by the physician, registered professional nurse, or licensed practical nurse in rendering the emergency care, except acts or omissions amounting to gross negligence or willful and wanton misconduct.

(2) A physician who in good faith performs a physical examination, without compensation, upon an individual to determine the individual's fitness to engage in competitive sports and who has obtained a statement signed by the individual or, if the individual is a minor, the parent or guardian of the minor, that the person signing the statement knows that the physician is not necessarily performing a complete physical examination and is not liable for civil damages as a result of acts or omissions by the physician in performing the examination, except acts or omissions amounting to gross negligence or willful and wanton misconduct or which are outside the scope of the license held by the physician, or a physician, registered professional nurse, or

licensed practical nurse who in good faith renders emergency care, without compensation, to an individual requiring such care as a result of having engaged in competitive sports shall not be liable for civil damages as a result of acts or omissions by the physician in performing the physical examination or acts or omissions by the physician, registered professional nurse, or licensed practical nurse in rendering the emergency care, except acts or omissions amounting to gross negligence or willful and wanton misconduct and except acts or omissions which are outside the scope of the license held by the physician, registered professional nurse, or licensed practical nurse. This subsection shall apply to the rendering of emergency care to minors even if the physician, registered professional nurse, or licensed practical nurse does not obtain the consent of the parent or guardian of the minor before the emergency care is rendered.

(3) As used in this section:

(a) "Competitive sports" means sports conducted as part of a program sponsored by a public or private school which provides instruction in grades kindergarten through 12 or a charitable or volunteer organization. Competitive sports does not include sports conducted as part of a program sponsored by a public or private college or university.

(b) "Licensed practical nurse" means an individual licensed to engage in the practice of nursing as a licensed practical nurse under article 15 of the public health code, Act No. 368 of the Public Acts of 1978, being sections 333.16101 to 333.18838 of the Michigan Compiled Laws.

(c) "Physician" means an individual licensed to practice medicine or osteopathic medicine and surgery under article 15 of Act No. 368 of the Public Acts of 1978.

(d) "Registered professional nurse" means an individual licensed to engage in the practice of nursing under article 15 of Act No. 368 of the Public Acts of 1978.

Sec. 7. A person who is a registered member of the national ski patrol system and who, in good faith and while acting as a member of the national ski patrol system, renders emergency care at the scene of an emergency shall not be liable for civil damages as a result of acts or omissions by the person in rendering the emergency care, except acts or omissions amounting to gross negligence or willful and wanton misconduct.

This act is ordered to take immediate effect.

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Secretary of the Senate.

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Clerk of the House of Representatives.

Approved.....

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Governor.