

SENATE BILL NO. 1050

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

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,"

by amending section 4 (MCL 691.1504), as added by 1986 PA 21.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) ~~A person~~ AN INDIVIDUAL who having no duty to
2 do so in good faith voluntarily renders cardiopulmonary resusci-
3 tation to ~~a person~~ ANOTHER INDIVIDUAL, ~~shall~~ IS not ~~be~~
4 liable IN A CIVIL ACTION for ~~civil~~ damages resulting from an
5 act or omission in ~~the~~ rendering ~~of that~~ THE cardiopulmonary
6 resuscitation, except an act or omission ~~amounting to~~ THAT
7 CONSTITUTES gross negligence or ~~wilful~~ WILLFUL and wanton
8 misconduct.

1 (2) Subsection (1) ~~shall apply~~ APPLIES only to ~~civil~~
2 ~~actions which are~~ A CIVIL ACTION THAT IS filed or pending on or
3 after May 1, 1986.

4 (3) AN INDIVIDUAL WHO HAVING NO DUTY TO DO SO IN GOOD FAITH
5 VOLUNTARILY RENDERS EMERGENCY SERVICES TO ANOTHER INDIVIDUAL
6 USING AN AUTOMATED EXTERNAL DEFIBRILLATOR IS NOT LIABLE IN A
7 CIVIL ACTION FOR DAMAGES RESULTING FROM AN ACT OR OMISSION IN
8 RENDERING THE EMERGENCY SERVICES USING THE AUTOMATED EXTERNAL
9 DEFIBRILLATOR, EXCEPT AN ACT OR OMISSION THAT CONSTITUTES GROSS
10 NEGLIGENCE OR WILLFUL AND WANTON MISCONDUCT.

11 (4) SUBSECTION (3) APPLIES ONLY TO A CIVIL ACTION THAT IS
12 FILED OR PENDING ON OR AFTER JULY 1, 1998.