

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4420 (Substitute S-2 as reported by the Committee of the Whole)
Sponsor: Representative Gerald Law
House Committee: Health Policy
Senate Committee: Judiciary

CONTENT

The bill would amend the Good Samaritan law to provide that an individual who had no duty to do so and who, in good faith, voluntarily rendered emergency services to another individual using an automated external defibrillator (AED), would not be liable in a civil action for damages resulting from an act or omission in rendering the emergency services, except for an act or omission that constituted gross negligence or willful and wanton misconduct.

In addition, any of the following persons would not be liable for damages resulting from an individual's rendering emergency services using an AED, unless the person's actions constituted gross negligence or willful and wanton misconduct:

- A physician who provided medical authorization for use of an AED.
- An individual who instructed others in the use of an AED.
- An individual or entity that owned, occupied, or managed the premises where an AED was located or used.

The bill would apply only to a civil action that was filed or pending on or after the bill's effective date.

(The Good Samaritan law currently provides that persons who in good faith voluntarily render cardiopulmonary resuscitation to another person are immune from liability as long as their actions do not constitute gross negligence or willful and wanton misconduct. The bill would retain that provision.)

MCL 691.1504

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 10-21-99

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