

HOUSE BILL No. 4807

June 17, 1999, Introduced by Reps. Law, Richner, Koetje, Rocca, Shulman and Woronchak and referred to the Committee on Family and Civil Law.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding sections 18826 and 18827.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 18826. (1) A VETERINARIAN OR VETERINARY TECHNICIAN IS
2 NOT LIABLE FOR CIVIL DAMAGES AS A RESULT OF THE ACTS OR OMISSIONS
3 DESCRIBED IN SUBSECTION (2) IF BOTH OF THE FOLLOWING APPLY:
4 (A) THE ANIMAL HAS BEEN BROUGHT TO THE VETERINARIAN OR VET-
5 ERINARY TECHNICIAN BY A PERSON OTHER THAN THE OWNER OF THE
6 ANIMAL.
7 (B) THE VETERINARIAN OR VETERINARY TECHNICIAN DOES NOT KNOW
8 WHO OWNS THE ANIMAL OR IS UNABLE TO CONTACT THE OWNER OF THE
9 ANIMAL BEFORE A DECISION MUST BE MADE WITH RESPECT TO EMERGENCY
10 TREATMENT OR EUTHANASIA.

1 (2) THE IMMUNITY GRANTED BY THIS SECTION APPLIES TO BOTH OF
2 THE FOLLOWING:

3 (A) AN INJURY TO AN ANIMAL OR DEATH OF AN ANIMAL THAT
4 RESULTS FROM ACTS OR OMISSIONS BY THE VETERINARIAN OR VETERINARY
5 TECHNICIAN IN PROVIDING TREATMENT TO THE ANIMAL.

6 (B) THE EUTHANASIA OF A SERIOUSLY INJURED OR SERIOUSLY ILL
7 ANIMAL.

8 (3) THIS SECTION DOES NOT APPLY TO AN ACT OR OMISSION BY A
9 VETERINARIAN OR VETERINARY TECHNICIAN AMOUNTING TO GROSS NEGLIGENCE OR WILLFUL AND WANTON MISCONDUCT IN PROVIDING TREATMENT TO
10 AN ANIMAL.

12 SEC. 18827. A LICENSED VETERINARIAN OR VETERINARY TECHNICIAN WHO IN GOOD FAITH REPORTS TO A PEACE OFFICER, AN ANIMAL CONTROL OFFICER, OR AN OFFICER OF A PRIVATE ORGANIZATION DEVOTED TO
13 THE HUMANE TREATMENT OF ANIMALS AN ANIMAL THAT THE VETERINARIAN
14 OR VETERINARY TECHNICIAN KNOWS OR REASONABLY BELIEVES TO BE ABANDONED, NEGLECTED, OR ABUSED IS IMMUNE FROM CIVIL OR CRIMINAL
15 LIABILITY FOR MAKING THE REPORT.