

Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 30 (as introduced 1-30-01)  
Sponsor: Senator Walter H. North  
Committee: Health Policy

Date Completed: 3-12-01

### **CONTENT**

The bill would amend the Public Health Code to provide that a health facility or agency, or a health professional licensee or registrant, who provided nonemergency health care to a patient without receiving compensation for providing the care would have immunity from liability in a civil action for damages for acts or omissions in providing the care, unless the acts or omissions were the result of gross negligence or willful and wanton misconduct or were intended to injure the patient. The care provided to the patient would have to be limited to care that the health facility or agency, or the health professional or registrant, was licensed to provide.

For a licensed or registered health professional, the limitation on liability provided by the bill would apply only if the nonemergency health care were provided in the office of the licensee or registrant; or in a health facility or the office of an entity organized for the sole purpose of delivering nonemergency health care without receiving compensation.

Before a health facility or agency, or a licensee or registrant, provided a patient with health care, the facility or agency, or licensee or registrant, would have to give the patient a written disclosure that described the limitation on liability as provided under the bill. The disclosure also would have to state that the health care was free, and that payment would not be requested from any source.

Under the bill, "compensation" would mean receipt of payment or expected receipt of payment directly from a patient or from a public or private health care payment or benefits plan on behalf of the patient for the nonemergency health care provided.

Proposed MCL 333.16277 & 333.20190

Legislative Analyst: G. Towne

### **FISCAL IMPACT**

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

Fiscal Analyst: M. Tyszkiewicz

S0102\sb30sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.