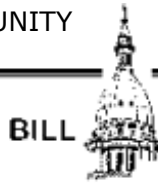




Senate Fiscal Agency  
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## BILL ANALYSIS

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House Bill 4508 (Substitute H-4 as passed by the House)  
Sponsor: Representative Roger Kahn  
House Committee: Judiciary  
Senate Committee: Judiciary

Date Completed: 12-6-05

### **CONTENT**

**The bill would amend the Emergency Management Act to include pharmacists, pharmacist interns, and medical residents in provisions granting immunity to and expanding the scope of practice of certain health professionals who render services during a state of disaster declared by the Governor.**

#### Immunity

Under the Act, each of the following who renders services during a state of disaster declared by the Governor and at the express or implied request of a State official or agency or county or local coordinator or executive body, is considered an authorized disaster relief worker or facility and is not liable for an injury sustained by a person by reason of those services, regardless of how or under what circumstances or by what cause those injuries are sustained: a person licensed in medicine or osteopathic medicine and surgery; a licensed hospital, registered nurse, practical nurse, dentist, veterinarian, or paramedic, whether licensed in Michigan or another state or by the Federal government or a branch of the United States armed forces; and a student nurse undergoing training in a licensed hospital in Michigan or another state. This immunity does not apply in the event of a willful act or omission.

Under the bill, the immunity provision also would apply to a licensed pharmacist or pharmacist intern, and to a medical resident undergoing training in a licensed hospital in Michigan or another state. Also, the immunity would apply to a nursing student, regardless of whether he or she was undergoing training in a licensed hospital.

#### Scope of Practice

The Act provides that a licensed dentist, veterinarian, registered nurse, practical nurse, or paramedic, whether licensed in Michigan or another state or by the Federal government or a branch of the U.S. armed forces, or a student nurse undergoing training in a licensed hospital in Michigan or another state, during a state of disaster declared by the Governor, in addition to the authority granted by other Michigan statutes, may practice the administration of anesthetics, minor surgery, intravenous, subcutaneous, or intramuscular procedures, or oral and topical medication, or a combination of these, under the supervision of a member of the medical staff of a licensed Michigan hospital, and may assist the staff member in other medical and surgical proceedings.

Under the bill, this provision also would apply to a licensed pharmacist or pharmacist intern, and to a medical resident undergoing training in a licensed hospital in Michigan or another state. Also, the provision would apply to a nursing student, regardless of whether he or she was undergoing training in a licensed hospital.

MCL 30.411

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill would have an indeterminate impact on State and local government to the extent that it would shield them from future potential liability.

Fiscal Analyst: Stephanie Yu

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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.