

SUBSTITUTE FOR  
HOUSE BILL NO. 5331

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending section 1178 (MCL 380.1178), as amended by 2000 PA 9.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1178. (1) Subject to subsection (2), a school  
2 administrator, teacher, or other school employee designated by the  
3 school administrator, who in good faith administers medication to a  
4 pupil in the presence of another adult or in an emergency that  
5 threatens the life or health of the pupil, pursuant to written  
6 permission of the pupil's parent or guardian, and in compliance  
7 with the instructions of a physician, **PHYSICIAN'S ASSISTANT, OR**  
8 **CERTIFIED NURSE PRACTITIONER** is not liable in a criminal action or  
9 for civil damages as a result of an act or omission in the

1 administration of the medication, except for an act or omission  
2 amounting to gross negligence or willful and wanton misconduct.

3 (2) If a school employee is a licensed registered professional  
4 nurse, subsection (1) applies to that school employee regardless of  
5 whether the medication is administered in the presence of another  
6 adult.