

SENATE BILL No. 805

February 17, 2016, Introduced by Senators ANANICH, ZORN, PROOS, KNEZEK, JOHNSON, YOUNG, GREGORY, HERTEL, BIEDA, HOPGOOD, MARLEAU, ROCCA, JONES, HORN, SCHUITMAKER and HOOD and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 17744b (MCL 333.17744b), as added by 2014 PA
311.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17744b. (1) Notwithstanding any provision of this act to
2 the contrary, a prescriber may issue a prescription for and a
3 dispensing prescriber or pharmacist may dispense an opioid
4 antagonist to any of the following:

5 (a) An individual patient at risk of experiencing an opioid-
6 related overdose.

7 (b) A family member, friend, or other individual in a position

1 to assist an individual at risk of experiencing an opioid-related
2 overdose.

3 **(C) A SCHOOL BOARD FOR PURPOSES OF SECTION 1179B OF THE**
4 **REVISED SCHOOL CODE, 1976 PA 451, MCL 380.1179B.**

5 **(D) ~~(e)~~**A person other than an individual that meets all of
6 the following requirements:

7 (i) Acts at the direction of the prescriber or dispensing
8 prescriber.

9 (ii) Upon receipt of an opioid antagonist, stores the opioid
10 antagonist in compliance with this part.

11 (iii) Dispenses or administers an opioid antagonist under a
12 valid prescription issued to an individual or a patient.

13 (iv) Performs the requirements under this subsection without
14 charge or compensation.

15 (2) When issuing a prescription for or dispensing an opioid
16 antagonist as authorized under this section to **A SCHOOL BOARD OR** a
17 person other than a patient, the prescriber, dispensing prescriber,
18 or pharmacist, as appropriate, shall insert the name of the **SCHOOL**
19 **BOARD OR THE** person as the name of the patient.

20 (3) Notwithstanding any provision of this act to the contrary,
21 a person that is acting in good faith and with reasonable care may
22 possess and dispense an opioid antagonist.

23 **(4) NOTWITHSTANDING ANY PROVISION OF THIS ACT TO THE CONTRARY,**
24 **A SCHOOL EMPLOYEE WHO IS A LICENSED REGISTERED PROFESSIONAL NURSE**
25 **OR WHO IS TRAINED IN THE ADMINISTRATION OF AN OPIOID ANTAGONIST**
26 **UNDER SECTION 1179B OF THE REVISED SCHOOL CODE, 1976 PA 451, MCL**
27 **380.1179B, MAY POSSESS AND ADMINISTER AN OPIOID ANTAGONIST**

1 **DISPENSED TO A SCHOOL BOARD UNDER THIS SECTION.**

2 **(5)** ~~(4)~~—A prescriber who issues a prescription for or a
3 dispensing prescriber or pharmacist who dispenses an opioid
4 antagonist as authorized under this section is not liable in a
5 civil action for a properly stored and dispensed opioid antagonist
6 that was a proximate cause of injury or death to an individual due
7 to the administration of or failure to administer the opioid
8 antagonist.

9 Enacting section 1. This amendatory act does not take effect
10 unless Senate Bill No. 806

11 of the 98th Legislature is enacted into law.