

SENATE BILL NO. 404

June 11, 2025, Introduced by Senators CAMILLERI, HERTEL and SANTANA and referred to Committee on Health Policy.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1178 (MCL 380.1178), as amended by 2020 PA 320,
and by adding section 1179c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1178. (1) Both of the following apply:
- 2 (a) Except as otherwise provided in subdivision (b) and
- 3 subject to subsection (2), a school administrator, teacher, or
- 4 other school employee designated by the school administrator, who

1 in good faith administers medication to a pupil in the presence of
2 another adult or in an emergency that threatens the life or health
3 of the pupil, pursuant to written permission of the pupil's parent
4 or guardian, and in compliance with the instructions of a
5 physician, physician's assistant, or certified nurse practitioner
6 is not liable in a criminal action or for civil damages as a result
7 of an act or omission in the administration of the medication,
8 except for an act or omission amounting to gross negligence or
9 willful or wanton misconduct.

10 (b) Subject to subsection (2), a school employee who in good
11 faith administers an epinephrine auto-injector to an individual
12 consistent with the policies under section 1179a **or in good faith**
13 **administers an opioid antagonist to an individual consistent with**
14 **the policies under section 1179c** is not liable in a criminal action
15 or for civil damages as a result of an act or omission in the
16 administration of the epinephrine auto-injector **or opioid**
17 **antagonist**, except for an act or omission amounting to willful or
18 wanton misconduct.

19 (2) If a school employee is a licensed registered professional
20 nurse, subsection (1) applies to that school employee regardless of
21 whether the medication, ~~or~~ epinephrine auto-injector, **or opioid**
22 **antagonist** is administered in the presence of another adult.

23 (3) A school district, nonpublic school, member of a school
24 board, or director or officer of a nonpublic school is not liable
25 in a criminal action or for damages in a civil action for injury,
26 death, or loss to person or property allegedly arising from a
27 person acting under this section.

28 (4) This section does not eliminate, limit, or reduce any
29 other immunity or defense that a person described under this

1 section may have under other state law.

2 Sec. 1179c. (1) If the department of health and human services
3 is able to supply a school district, intermediate school district,
4 or public school academy with opioid antagonists at no cost, the
5 board of that school district or intermediate school district or
6 board of directors of that public school academy shall ensure that
7 each school operated by the board or board of directors has at
8 least 1 employee who has been trained in the appropriate use and
9 administration of an opioid antagonist.

10 (2) The board of a school district or intermediate school
11 district or board of directors of a public school academy that
12 receives opioid antagonists as described in subsection (1) shall,
13 in consultation with the department of health and human services,
14 develop and implement a policy concerning the administration of
15 opioid antagonists in public schools that does at least all of the
16 following:

17 (a) Requires school personnel to notify the parent or legal
18 guardian of a pupil to whom an opioid antagonist has been
19 administered.

20 (b) Requires school personnel to call 9-1-1 if a pupil is
21 believed to be having an opioid-related overdose.

22 (3) As used in this section:

23 (a) "Opioid antagonist" means naloxone hydrochloride or other
24 similarly acting and equally safe drug approved by the United
25 States Food and Drug Administration for the treatment of drug
26 overdose.

27 (b) "Opioid-related overdose" means a condition, including,
28 but not limited to, extreme physical illness, decreased level of
29 consciousness, respiratory depression, coma, or death that results

1 from the consumption or use of an opioid or another substance with
2 which an opioid was combined or that an individual who has received
3 training under this section would believe to be an opioid-related
4 overdose that requires medical assistance.

5 Enacting section 1. This amendatory act does not take effect
6 unless Senate Bill No. 405 of the 103rd Legislature is enacted into
7 law.