

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.17744e Dispensing opioid antagonist to individual pursuant to standing order issued by chief medical executive; "community-based organization" defined.

Sec. 17744e. (1) Notwithstanding any provision of this act to the contrary, the chief medical executive in the office of chief medical executive created within the department of health and human services may issue a standing order that does not identify particular patients at the time it is issued for any of the following purposes:

(a) A pharmacist dispensing opioid antagonists to individuals under this section.

(b) A community-based organization or a staff member of the community-based organization distributing opioid antagonists to individuals under this section.

(2) Notwithstanding any provision of this act to the contrary, a pharmacist may dispense or a community-based organization or a staff member of the community-based organization may distribute an opioid antagonist to any individual pursuant to a standing order issued by the chief medical executive under subsection (1) and the rules promulgated under this section.

(3) The following are not liable in a civil action for damages resulting from the dispensing of an opioid antagonist or the administration of or failure to administer the opioid antagonist:

(a) The chief medical executive who issues a standing order for the opioid antagonist under this section.

(b) A pharmacist who dispenses the opioid antagonist as authorized under this section.

(c) A community-based organization that, or a staff member of the community-based organization who, distributes the opioid antagonist as authorized under this section.

(4) The department, in consultation with the department of health and human services and local health departments, may promulgate rules regarding dispensing, training, distribution, and referral to implement this section.

(5) As used in this section, "community-based organization" means a public or private organization that provides health or human services to meet the needs of a community, including, but not limited to, a nonprofit organization, a social service provider, or an organization providing substance use disorder prevention, treatment, recovery, or harm reduction services. A community-based organization does not include an agency as that term is defined in section 101 of the administration of opioid antagonists act, 2019 PA 39, MCL 15.671.

History: Add. 2016, Act 383, Eff. Mar. 28, 2017;—Am. 2022, Act 176, Imd. Eff. July 21, 2022.

Compiler's note: For transfer of powers and duties of chief medical executive to the new chief medical executive in the office of chief medical executive created within the department of health and human services, and abolishment of the position of chief medical executive, see E.R.O. No. 2016-4, compiled at MCL 333.26369.

Popular name: Act 368