

THE REVISED SCHOOL CODE (EXCERPT)
Act 451 of 1976

380.1178 Administration of medication or epinephrine auto-injector to pupil or individual; liability; school employee as licensed registered professional nurse.

Sec. 1178. (1) Both of the following apply:

(a) Except as otherwise provided in subdivision (b) and subject to subsection (2), a school administrator, teacher, or other school employee designated by the school administrator, who in good faith administers medication to a pupil in the presence of another adult or in an emergency that threatens the life or health of the pupil, pursuant to written permission of the pupil's parent or guardian, and in compliance with the instructions of a physician, physician's assistant, or certified nurse practitioner is not liable in a criminal action or for civil damages as a result of an act or omission in the administration of the medication, except for an act or omission amounting to gross negligence or willful or wanton misconduct.

(b) Subject to subsection (2), a school employee who in good faith administers an epinephrine auto-injector to an individual consistent with the policies under section 1179a is not liable in a criminal action or for civil damages as a result of an act or omission in the administration of the epinephrine auto-injector, except for an act or omission amounting to willful or wanton misconduct.

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

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

(4) This section does not eliminate, limit, or reduce any other immunity or defense that a person described under this section may have under other state law.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977;—Am. 1978, Act 431, Imd. Eff. Oct. 5, 1978;—Am. 1995, Act 289, Eff. July 1, 1996;—Am. 2000, Act 9, Imd. Eff. Mar. 7, 2000;—Am. 2006, Act 48, Imd. Eff. Mar. 9, 2006;—Am. 2013, Act 187, Eff. Mar. 14, 2014;—Am. 2016, Act 385, Eff. Mar. 29, 2017;—Am. 2019, Act 38, Eff. Sept. 24, 2019;—Am. 2020, Act 320, Imd. Eff. Dec. 29, 2020.

Popular name: Act 451