Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 857 (Substitute S-2 as reported)
Sponsor: Senator Tonya Schuitmaker
Committee: Judiciary

CONTENT

The bill would amend the Good Samaritan law to provide civil immunity for a person who administered an opioid antagonist to another individual under particular circumstances.

Specifically, if a person in good faith believed that another person was suffering the immediate effects of an opioid-related overdose and administered an opioid antagonist to that person, the person who administered the opioid antagonist would not be liable in a civil action for damages resulting from the administration of the opioid antagonist.

This liability protection would not apply in either of the following circumstances:

-- The person who administered the opioid antagonist was a physician, physician's assistant, registered nurse, or licensed practical nurse and the opioid antagonist was administered in a hospital.
-- The conduct of the individual administering the opioid antagonist was willful and wanton misconduct.

The bill would define "opioid-related overdose" as a condition that results from the consumption or use of an opioid or another substance with which an opioid was combined or that a layperson would reasonably believe to be an opioid-related overdose that requires medical assistance. The conditions resulting from consumption or use of an opioid or other substance would include, but would not be limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death.

"Opioid antagonist" would mean Naloxone Hydrochloride or any other similarly acting and equally safe drug approved by the Federal Food and Drug Administration for the treatment of drug overdose.

Proposed MCL 691.1503   Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-21-14   Fiscal Analyst: John Maxwell