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BILL ANALYSIS

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House Bill 5331 (Substitute H-1 as passed by the House)
Sponsor: Representative Richard Ball
House Committee: Health Policy
Senate Committee: Health Policy

Date Completed: 2-14-06

CONTENT

The bill would amend the Revised School Code to provide for immunity to a school administrator or employee who administered medication to a pupil according to instructions of a physician's assistant or certified nurse practitioner.

Under the Code, 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 pupil's life or health, in accordance with the written permission of the pupil's parent or guardian and in compliance with a physician's instructions, 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 of gross negligence or willful and wanton misconduct.

Under the bill, this provision also would apply if the medication were administered in compliance with the instructions of a physician's assistant or certified nurse practitioner.

MCL 380.1178

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have an indeterminate impact on State and local governments to the extent that it would shield them from future potential liability.

Fiscal Analyst: Joe Carrasco
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