

SUBSTITUTE FOR
SENATE BILL NO. 844

A bill to amend 2019 PA 39, entitled
"Administration of opioid antagonists act,"
by amending section 107 (MCL 15.677).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 107. (1) An agency that purchases, possesses, or
2 distributes an opioid antagonist under section 103 ~~, and an~~
3 ~~employee or agent that possesses or in good faith administers an~~
4 ~~opioid antagonist under section 105,~~ is immune from civil liability
5 for ~~injuries~~ **injury, death**, or damages arising out of the
6 administration of that opioid antagonist to an individual under
7 this act, if the conduct does not amount to gross negligence that
8 is the proximate cause of the injury, **death**, or ~~damage~~ **damages**. As
9 used in this subsection, "gross negligence" means that term as



1 defined in section 7 of 1964 PA 170, MCL 691.1407.

2 (2) An employee or agent that possesses, administers, or fails
3 to administer an opioid antagonist under section 105 is immune from
4 civil liability for injury, death, or damages arising out of the
5 administration or failure to administer that opioid antagonist to
6 an individual under this act, if the conduct does not amount to
7 willful or wanton misconduct that is the proximate cause of the
8 injury, death, or damages.

9 (3) ~~(2)~~—An agency that purchases, possesses, or distributes an
10 opioid antagonist under section 103, and an employee or agent that
11 possesses, ~~or in good faith administers,~~ **or fails to administer** an
12 opioid antagonist under section 105, is not subject to criminal
13 prosecution for purchasing, possessing, or distributing an opioid
14 antagonist under this act or for administering **or failing to**
15 **administer** an opioid antagonist to an individual under this act.

16 (4) ~~(3)~~ ~~The immunity provided under this section is in~~
17 ~~addition to any immunity otherwise provided by law.~~ **This section**
18 **does not eliminate, limit, or reduce any other immunity or defense**
19 **that may be available under the laws of this state.**

