

SENATE BILL NO. 844

March 12, 2020, Introduced by Senator MACDONALD and referred to the Committee on Health Policy and Human Services.

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

1 for ~~injuries~~**injury, death,** or damages arising out of the
2 administration of that opioid antagonist to an individual under
3 this act, if the conduct does not amount to gross negligence that
4 is the proximate cause of the injury, **death,** or ~~damage.~~**damages.** As
5 used in this subsection, "gross negligence" means that term as
6 defined in section 7 of 1964 PA 170, MCL 691.1407.

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

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

21 **(4) ~~(3) The immunity provided under this section is in~~**
22 **~~addition to any immunity otherwise provided by law.~~**This section****
23 ****does not eliminate, limit, or reduce any other immunity or defense****
24 ****that may be available under the laws of this state.****

25 Enacting section 1. This amendatory act does not take effect
26 unless all of the following bills of the 100th Legislature are
27 enacted into law:

28 (a) Senate Bill No. 417.

29 (b) Senate Bill No. 418.

1 (c) Senate Bill No. 843
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