PANDEMIC HEALTH CARE IMMUNITY ACT (EXCERPT)
Act 240 of 2020

***** 691.1473 This section applies retroactively on or after March 29, 2020 and before July 14, 2020: See 691.1477 *****

691.1473 Definitions.

Sec. 3.

As used in this act:

(a) "Gross negligence" means conduct so reckless as to demonstrate a substantial lack of concern for whether an injury results.

(b) "Health care facility" means an entity that is 1 or more of the following:

(i) A health facility or agency as defined in section 20106 of the public health code, 1978 PA 368, MCL 333.20106.

(ii) A state-owned surgical center.

(iii) A state-operated outpatient facility.

(iv) A state-operated veterans facility.

(v) A facility used as surge capacity for any of the health care facilities described in this subdivision.

(c) "Health care provider" means an individual that is 1 or more of the following:

(i) An individual licensed under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

(ii) An individual permitted to engage in the practice of a health profession under section 16171(c) of the public health code, 1978 PA 368, MCL 333.16171.

(iii) Emergency medical services personnel as defined in section 20904 of the public health code, 1978 PA 368, MCL 333.20904.

(iv) A student, volunteer, or any other licensed health care professional at a health care facility.

(d) "Health care services" means services provided to an individual by a health care facility or health care provider regardless of the location where those services are provided, including the provision of health care services via telehealth or other remote method.

(e) "Willful misconduct" means conduct or a failure to act that was intended to cause harm.

History: 2020, Act 240, Imd. Eff. Oct. 22, 2020