

ADMINISTRATION OF OPIOID ANTAGONISTS BY LIBRARY EMPLOYEES

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House Bills 4366 and 4367 as introduced
Sponsor: Rep. Jason M. Sheppard
Committee: Government Operations
Complete to 3-18-19

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Taken together, House Bills 4366 and 4367 would allow library employees to carry and administer opioid antagonists if they have been trained to do so.

House Bill 4367 would create a new act, the Administration of Opioid Antagonists by Library Employees Act. The act would allow a *public library* to purchase and possess an *opioid antagonist* and distribute it to a *library employee or agent* who has been trained in its use. The library employee or agent could possess an opioid antagonist given to him or her by the library. If trained in the proper administration of the opioid antagonist, the library employee or agent could administer it to an individual he or she had reason to believe was experiencing an opioid-related overdose.

Library employee or agent would include library employees as well as volunteers, contract workers, and appointed or elected officials who serve on the governing board of a public library.

Public library would mean a library established for the general public by one or more local units of government, including school districts, or by a public or local act. It would not include a special library such as a professional, technical, or school library.

Opioid antagonist would mean naloxone hydrochloride or an equally safe and effective drug approved by the Food and Drug Administration for the treatment of drug overdose.

The library and the employee or agent would be immune from civil liability for injuries or damages arising from the good-faith administration of an opioid antagonist to an individual unless that conduct amounted to gross negligence that was the proximate cause of the injury or damage. The library and the employee or agent would not be subject to a criminal prosecution for purchasing, possessing, distributing, or administering an opioid antagonist, as applicable, under the act.

House Bill 4366 would make complementary changes to the provisions of the Public Health Code concerning opioid antagonists, which would allow public libraries and certain of their employees to purchase, possess, or administer an opioid antagonist for purposes of the new act.

MCL 333.17744b

Each bill would take effect 90 days after its enactment. The two bills are tie-barred to one another, which means that neither could take effect unless both were enacted.

FISCAL IMPACT:

House Bill 4366 would not have a significant fiscal impact on any unit of state or local government.

House Bill 4367 would have no fiscal impact on the state or local units of government because the bill permits, rather than requires, public libraries to carry opioid antagonists.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.