



Senate Fiscal Agency  
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House Bill 4367 (Substitute S-2 as reported)  
Sponsor: Representative Jason M. Sheppard  
House Committee: Government Operations  
Senate Committee: Health Policy and Human Services

## **CONTENT**

The bill would create the "Administration of Opioid Antagonists Act" to do the following:

- Allow an agency to purchase and possess an opioid antagonist, and to distribute it to an employee or agent.
- Allow an employee or agent to administer an opioid antagonist to an individual, if he or she had been trained in the administration of an opioid antagonist and had reason to believe that the individual was experiencing an opioid-related overdose.
- Exempt from civil liability an agency that purchased, possessed, or distributed an opioid antagonist, and an employee or agent who possessed or in good faith administered an opioid antagonist, if the conduct did not amount to gross negligence.
- Exempt from criminal prosecution an agency that purchased, possessed, or distributed an opioid antagonist, and an employee or agent that possessed or in good faith administered an opioid antagonist.

The bill also would repeal Public Act 462 of 2014, which allows law enforcement agencies and peace officers to possess and administer opioid antagonists under certain circumstances.

The bill is tie-barred to Senate Bills 200, 282, and 283, and would take effect 90 days after its enactment. (Senate Bill 200 (S-1) would allow a prescriber to issue a prescription for, and allow a dispensing prescriber or pharmacist to dispense an opioid antagonist to an agency authorized under this proposed Act. Senate Bill 282 (S-1) would delete a provision in the Public Health Code related to the use of opioid antagonists by life support vehicles. Senate Bill 283 would delete certain definitions related to opioids in the Revised School Code.)

Legislative Analyst: Tyler VanHuyse

## **FISCAL IMPACT**

The bill would have no direct fiscal impact on the State or local governments because it would allow, rather than require, agencies to have employees trained to administer opioid antagonists. Agencies that opted to purchase and use opioid antagonists as allowed under the bill could incur supply and training costs. The bill's immunity provisions could reduce the number of prosecutions and convictions for possession or administration of controlled substances by employees or agents, thus potentially reducing court and corrections costs and costs of litigation for an agency that chose to purchase and possess opioid antagonists and train agents or employees in the administration of opioid antagonists.

Date Completed: 5-13-19

Fiscal Analyst: Ryan Bergan