

1999 PUBLIC AND LOCAL ACTS

---

[No. 199]

(SB 725)

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 20965 (MCL 333.20965), as amended by 1997 PA 78.

*The People of the State of Michigan enact:*

333.20965 Immunity from liability. [M.S.A. 14.15(20965)]

Sec. 20965. (1) Unless an act or omission is the result of gross negligence or willful misconduct, the acts or omissions of a medical first responder, emergency medical technician, emergency medical technician specialist, paramedic, or medical director of a medical control authority or his or her designee while providing services to a patient outside a hospital, or in a hospital before transferring patient care to hospital personnel, that are consistent with the individual's licensure or additional training required by the local medical control authority, including, but not limited to, services described in subsection (2), do not impose liability in the treatment of a patient on those individuals or any of the following persons:

- (a) The authorizing physician or physician's designee.
  - (b) The medical director and individuals serving on the advisory body of the medical control authority.
  - (c) The person providing communications services or lawfully operating or utilizing supportive electronic communications devices.
  - (d) The life support agency or an officer, member of the staff, or other employee of the life support agency including, but not limited to, an ambulance operation operating under an ambulance operation upgrade license issued under section 20920(7) to (12).
  - (e) The hospital or an officer, member of the staff, nurse, or other employee of the hospital.
  - (f) The authoritative governmental unit or units.
  - (g) Emergency personnel from outside the state.
- (2) Subsection (1) applies to services consisting of the use of an automated external defibrillator on an individual who is in or is exhibiting symptoms of cardiac distress.

1999 PUBLIC AND LOCAL ACTS

---

(3) Subsection (1) does not limit immunity from liability otherwise provided by law for any of the persons listed in subsection (1).

This act is ordered to take immediate effect.

Approved December 20, 1999.

Filed with Secretary of State December 20, 1999.

---