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SFA**BILL ANALYSIS**

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Senate Bill 298 (as introduced 3-11-97)
Sponsor: Senator Michael J. Bouchard
Committee: Health Policy and Senior Citizens

Date Completed: 4-28-97

CONTENT

The bill would amend the good samaritan Act to excuse from liability for civil damages a dentist, medical first responder, emergency medical technician, emergency medical technician specialist, or paramedic licensed under the Public Health Code who in good faith rendered emergency care without compensation to a person who required the care as a result of having engaged in competitive sports. The bill's liability exemption would not cover acts or omissions amounting to gross negligence or willful and wanton misconduct, or acts or omissions that were outside the scope of the license held by the individual.

Currently, the Act grants civil immunity to physicians, registered professional nurses, and licensed practical nurses who in good faith render emergency medical care without compensation to a person who requires the care as a result of having engaged in competitive sports, unless their acts or omissions amount to gross negligence or willful and wanton misconduct or are outside the scope of their license. ("Competitive sports" means a sports program sponsored by a public or private school that provides instruction in grades kindergarten through 12, or by a charitable or volunteer organization, but does not include a sports program sponsored by a college or university.)

Further, the bill would excuse from liability a dentist who in good faith rendered emergency care at the scene of an emergency, where a dentist-patient relationship did not exist prior to the emergency. This exemption currently applies to a physician, registered professional nurse, or licensed practical nurse, and does not cover acts or omissions amounting to gross negligence or willful and wanton misconduct.

MCL 691.1501

Legislative Analyst: G. Towne

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: M. Tyszkiewicz

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