

HOUSE BILL NO. 4605

May 16, 2019, Introduced by Reps. Neeley, Whitsett, Eisen, Peterson, Elder, Yancey, Rendon, Hoitenga, Garza, Tate, Chirkun, Cambensy, Kennedy, Brenda Carter, Wozniak, Coleman, Slagh, Jones and Robinson and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 16221c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16221c. (1) Except in the case of gross negligence or
2 willful misconduct as determined by the department, a licensee or
3 registrant who prescribes, administers, or dispenses a long-term
4 antibiotic for the treatment of Lyme disease in a human patient in
5 accordance with the licensee's or registrant's scope of practice is



1 not subject to administrative action under this article.

2 (2) As used in this section:

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

6 (b) "Willful misconduct" means conduct committed with an
7 intentional or reckless disregard for the safety of others, as by
8 failing to exercise reasonable care to prevent a known danger.

9 Enacting section 1. This amendatory act takes effect 90 days
10 after the date it is enacted into law.

