

SENATE BILL NO. 578

June 30, 2021, Introduced by Senators BRINKS, MCCANN, BULLOCK, POLEHANKI, CHANG, IRWIN, BAYER, WOJNO, SANTANA, VANDERWALL, MCMORROW, MOSS, ALEXANDER, ANANICH, GEISS, OUTMAN, THEIS and HOLLIER and referred to the Committee on Health Policy and Human Services.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 17744e (MCL 333.17744e), as added by 2016 PA
383.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17744e. (1) Notwithstanding any provision of this act to
2 the contrary, the chief medical executive in the office of chief
3 medical executive created within the department of health and human
4 services may issue a standing order that does not identify

1 particular patients at the time it is issued for **any of** the ~~purpose~~
2 ~~of a following purposes:~~

3 (a) A pharmacist dispensing opioid antagonists to individuals
4 under this section.

5 (b) A **community-based organization or a staff member of the**
6 **community-based organization distributing opioid antagonists to**
7 **individuals under this section.**

8 (2) Notwithstanding any provision of this act to the contrary,
9 a pharmacist may dispense **or a community-based organization or a**
10 **staff member of the community-based organization may distribute** an
11 opioid antagonist to any individual pursuant to a standing order
12 issued by the chief medical executive under subsection (1) and the
13 rules promulgated under this section.

14 (3) The ~~chief following~~ **are not liable in a civil action for**
15 **damages resulting from the dispensing of an opioid antagonist or**
16 **the administration of or failure to administer the opioid**
17 **antagonist:**

18 (a) **The chief** medical executive who issues a standing order
19 for ~~an the~~ opioid antagonist under this section. ~~or a~~

20 (b) A pharmacist who dispenses ~~an the~~ opioid antagonist as
21 authorized under this section. ~~is not liable in a civil action for~~
22 ~~damages resulting from the dispensing of the opioid antagonist or~~
23 ~~the administration of or failure to administer the opioid~~
24 ~~antagonist.~~

25 (c) **A community-based organization that, or a staff member of**
26 **the community-based organization who, distributes the opioid**
27 **antagonist as authorized under this section.**

28 (4) The department, in consultation with the department of
29 health and human services and local health departments, ~~shall may~~

1 promulgate rules regarding dispensing, training, **distribution**, and
2 referral to implement this section.

3 (5) As used in this section, "community-based organization"
4 means a public or private organization that provides health or
5 human services to meet the needs of a community, including, but not
6 limited to, a nonprofit organization, a social service provider, or
7 an organization providing substance use disorder prevention,
8 treatment, recovery, or harm reduction services. A community-based
9 organization does not include an agency as that term is defined in
10 section 101 of the administration of opioid antagonists act, 2019
11 PA 39, MCL 15.671.