HOUSE BILL NO. 5166

June 29, 2021, Introduced by Rep. Whiteford and referred to the Committee on Health Policy.

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:

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

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

3 (a) A pharmacist dispensing opioid antagonists to individuals4 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

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

24 antagonist.

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

28 (4) The department, in consultation with the department of29 health and human services and local health departments, shall may

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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 human services to meet the needs of a community, including, but not 5 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.

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