

SENATE BILL NO. 674

June 17, 1999, Introduced by Senators SCHWARZ, HAMMERSTROM, JOHNSON, BENNETT, SHUGARS, EMMONS, ROGERS, MC MANUS and MURPHY and referred to the Committee on Health Policy.

A bill to amend 1963 PA 17, entitled

"An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health,"

by amending section 4 (MCL 691.1504), as added by 1986 PA 21.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) ~~A person~~ SUBJECT TO SUBSECTION (5), AN
2 INDIVIDUAL who having no duty to do so in good faith voluntarily
3 renders cardiopulmonary resuscitation to ~~a person~~ ANOTHER
4 INDIVIDUAL, ~~shall~~ IS not ~~be~~ liable IN A CIVIL ACTION for
5 ~~civil~~ damages resulting from an act or omission in ~~the~~
6 rendering ~~of that~~ THE cardiopulmonary resuscitation, except an
7 act or omission ~~amounting to~~ THAT CONSTITUTES gross negligence
8 or ~~wilful~~ WILLFUL and wanton misconduct.

1 (2) Subsection (1) ~~shall apply~~ APPLIES only to ~~civil~~
2 ~~actions which are~~ A CIVIL ACTION THAT IS filed or pending on or
3 after May 1, 1986.

4 (3) SUBJECT TO SUBSECTION (5), AN INDIVIDUAL WHO HAVING NO
5 DUTY TO DO SO IN GOOD FAITH VOLUNTARILY RENDERS EMERGENCY SERV-
6 ICES TO ANOTHER INDIVIDUAL USING AN AUTOMATED EXTERNAL DEFIBRIL-
7 LATOR IS NOT LIABLE IN A CIVIL ACTION FOR DAMAGES RESULTING FROM
8 AN ACT OR OMISSION IN RENDERING THE EMERGENCY SERVICES USING THE
9 AUTOMATED EXTERNAL DEFIBRILLATOR, EXCEPT AN ACT OR OMISSION THAT
10 CONSTITUTES GROSS NEGLIGENCE OR WILLFUL AND WANTON MISCONDUCT.
11 THIS SUBSECTION DOES NOT APPLY IF THE EMERGENCY SERVICES WERE
12 RENDERED AS THE RESULT OF A REQUEST MADE THROUGH 9-1-1 OR ANOTHER
13 UNIVERSAL EMERGENCY TELEPHONE NUMBER OR ANY OTHER DESIGNATED
14 EMERGENCY SERVICES TELEPHONE NUMBER.

15 (4) SUBSECTION (3) APPLIES ONLY TO A CIVIL ACTION THAT IS
16 FILED OR PENDING ON OR AFTER JULY 1, 1999.

17 (5) THIS SECTION APPLIES ONLY TO AN INDIVIDUAL WHO IS NOT
18 LICENSED UNDER PART 209 OF THE PUBLIC HEALTH CODE, 1978 PA 368,
19 MCL 333.20901 TO 333.20979.