



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5054 (as reported without amendment)
Sponsor: Representative Shelley Goodman Taub
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend the governmental immunity Act to extend governmental immunity to care or treatment provided by an uncompensated "search and rescue operation medical assistant".

The Act specifies that it does not grant immunity to a governmental agency or an employee or agent of a governmental agency with respect to the provision of medical care or treatment to a patient, except medical care or treatment provided to a patient in a hospital owned or operated by the Department of Community Health or the Department of Corrections and except care or treatment provided by an uncompensated tactical operation medical assistant. The bill would include in that exception care or treatment provided by an uncompensated search and rescue operation medical assistant (an individual licensed in medicine or osteopathic medicine and surgery or as a registered professional nurse, an emergency medical technician, an emergency medical technician specialist, or a paramedic, acting within the scope of the license, and assisting a governmental agency in a search and rescue operation).

The bill also would expand the definition of "tactical operation", which currently means a coordinated, planned action by a special operations, weapons, or response team of a law enforcement agency that is either of the following: taken to deal with imminent violence, a riot, an act of terrorism, or a similar civic emergency; or the entry into a building or area to seize evidence, or to arrest an individual for a felony, under the authority of a warrant issued by a court. The bill would include in that definition entry into a watercraft, aircraft, land vehicle, or body of water to seize evidence or to arrest a person for a felony. It also would include training for the tactical team.

MCL 691.1407

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate impact on the State and local units of government to the extent that it would limit potential future liability.

Date Completed: 12-7-05

Fiscal Analyst: Bill Bowerman