

SENATE BILL No. 785

January 25, 2018, Introduced by Senators JONES, WARREN, BIEDA and BRANDENBURG and referred to the Committee on Judiciary.

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1180.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1180. (1) THE ADMINISTRATOR OF A PUBLIC OR NONPUBLIC
2 SCHOOL, OR HIS OR HER DESIGNEE, WHO RECEIVES A COPY OF A DO-NOT-
3 RESUSCITATE ORDER EXECUTED UNDER SECTION 3A OR 3B OF THE MICHIGAN
4 DO-NOT-RESUSCITATE PROCEDURE ACT, 1996 PA 193, MCL 333.1053A AND
5 333.1053B, FROM A PARENT OR GUARDIAN OF A PUPIL SHALL ENSURE THAT
6 BOTH OF THE FOLLOWING ARE MET:

7 (A) FOR A PUPIL WITH AN INDIVIDUALIZED EDUCATION PROGRAM, THE
8 DO-NOT-RESUSCITATE ORDER MUST BE MADE A PART OF THE PUPIL'S
9 INDIVIDUALIZED EDUCATION PROGRAM IN THE SAME MANNER AS OTHER
10 MEDICAL INFORMATION REGARDING THE PUPIL.

1 (B) FOR A PUPIL WITHOUT AN INDIVIDUALIZED EDUCATION PROGRAM,
2 BOTH OF THE FOLLOWING:

3 (i) THE DO-NOT-RESUSCITATE ORDER MUST BE PLACED IN A FILE
4 CREATED SPECIFICALLY FOR A DO-NOT-RESUSCITATE ORDER AND THAT FILE
5 MUST BE STORED IN ALL OF THE SAME LOCATIONS IN WHICH AN
6 INDIVIDUALIZED EDUCATION PROGRAM IS STORED.

7 (ii) ALL PARTIES THAT RECEIVE NOTICE OF AN INDIVIDUALIZED
8 EDUCATION PROGRAM MUST RECEIVE NOTICE OF A DO-NOT-RESUSCITATE ORDER
9 FOR A PUPIL WITHOUT AN INDIVIDUALIZED EDUCATION PROGRAM.

10 (2) THE ADMINISTRATOR OF A PUBLIC OR NONPUBLIC SCHOOL, OR HIS
11 OR HER DESIGNEE, WHO RECEIVES ACTUAL NOTICE THAT AN ORDER DESCRIBED
12 IN SUBSECTION (1) HAS BEEN REVOKED UNDER SECTION 10 OF THE MICHIGAN
13 DO-NOT-RESUSCITATE PROCEDURE ACT, 1996 PA 193, MCL 333.1060, SHALL
14 IMMEDIATELY MAKE THE REVOCATION PART OF THE PUPIL'S INDIVIDUALIZED
15 EDUCATION PROGRAM IN THE SAME MANNER AS OTHER MEDICAL INFORMATION
16 REGARDING THE PUPIL OR PLACE THE REVOCATION IN THE FILE CREATED
17 UNDER SUBSECTION (1) (B) (i), AS APPLICABLE. ALL PARTIES ENTITLED TO
18 NOTICE OF AN INDIVIDUALIZED EDUCATION PROGRAM MUST RECEIVE NOTICE
19 OF A REVOCATION OF A DO-NOT-RESUSCITATE ORDER, REGARDLESS OF
20 WHETHER THE REVOCATION PERTAINS TO A PUPIL WITH AN INDIVIDUALIZED
21 EDUCATION PROGRAM.

22 (3) THIS SECTION SHALL NOT BE CONSTRUED TO CREATE A RIGHT TO
23 AN INDIVIDUALIZED EDUCATION PROGRAM.

24 (4) AS USED IN THIS SECTION:

25 (A) "DO-NOT-RESUSCITATE ORDER" OR "ORDER" MEANS THAT TERM AS
26 DEFINED IN SECTION 2 OF THE MICHIGAN DO-NOT-RESUSCITATE PROCEDURE
27 ACT, 1996 PA 193, MCL 333.1052.

1 **(B) "INDIVIDUALIZED EDUCATION PROGRAM" MEANS THAT TERM AS**
2 **DEFINED IN SECTION 1704.**

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

5 Enacting section 2. This amendatory act does not take effect
6 unless Senate Bill No._784

7 of the 99th Legislature is enacted into law.