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BILL ANALYSIS

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House Bills 5049 through 5054 (as passed by the House)
Sponsor: Representative Regina Weiss (H.B. 5049)
Representative Will Snyder (H.B. 5050)
Representative Nancy DeBoer (H.B. 5051, 5052, 5053, & 5054)
House Committee: Education and Workforce
Rules (H.B. 5050)
Senate Committee: Health Policy

Date Completed: 6-16-26

CONTENT

House Bill 5050 would amend the Public Health Code to modify provisions governing the prescribed issuance of an epinephrine auto-injector to certain authorized entities, such as school districts and local police and fire departments, to instead refer to an epinephrine delivery system. "Epinephrine delivery system" would include an epinephrine auto-injector, an epinephrine inhaler, or epinephrine nasal spray.[1]

House Bill 5049 would amend the Revised School Code to modify provisions governing the administration of epinephrine auto-injectors in schools to instead refer to the administration of an epinephrine delivery system.

House Bill 5051 would amend the Law Enforcement and Firefighter Access to Epinephrine Act to modify provisions governing law enforcement and firefighters' administration of epinephrine auto-injectors to instead refer to the administration of an epinephrine delivery system.

House Bill 5052 would amend the child care licensing Act to modify provisions governing the administration of epinephrine auto-injectors at children's camps to instead refer to the administration of an epinephrine delivery system.

House Bill 5053 would amend the Public Health Code to modify provisions governing the administration of epinephrine auto-injectors by medical control authorities to instead refer to the administration of an epinephrine delivery system.

House Bill 5054 would amend the Revised School Code to modify provisions governing the administration of epinephrine auto-injectors in schools to instead refer to the administration of an epinephrine delivery system.

The bills are tie-barred.

[1] While epinephrine has historically been administered by autoinjectors, new delivery systems such as inhalers and nasal spray have been approved by the United States Food and Drug Administration.

House Bill 5050

Under the Public Health Code, a prescriber may issue epinephrine to an authorized entity and the authorized entity must store the epinephrine delivery system appropriately. An authorized entity must provide training to staff prior to staff's use of an epinephrine auto-injector. Generally, an authorized entity and its employees, agents, and other trained individuals that complied with the Code' requirements are not subject to civil or criminal liability in the use of the epinephrine auto-injectable as allowed under the Code. Generally, "authorized entity" means a school board, a person or governmental entity operating a business at which allergens capable of causing anaphylaxis exist, and public law enforcement and fire departments. The bill would modify these provisions to refer to an epinephrine delivery system instead of an epinephrine auto-injector.

"Epinephrine delivery system" would include an epinephrine auto-injector, an epinephrine inhaler, or epinephrine nasal spray.

House Bill 5049

Under the Revised School Code, at least one teacher for schools of fewer than 10 teachers, or at least two teachers for schools of more than 10 teachers, must be trained on the administration of an epinephrine auto-injector. The Code requires the Board of a school district to develop policies consistent with these administration guidelines for an epinephrine auto-injector and to report annually to the Michigan Department of Education all instances of administration of an epinephrine auto-injector. The bill would modify these provisions to refer to an epinephrine delivery system instead of an epinephrine auto-injector.

House Bill 5051

Under the Law Enforcement and Firefighters Access to Epinephrine Act, a prescriber may issue an epinephrine auto-injectable to a law enforcement agency or organized fire department that is prescribed an auto-injectable epinephrine. The entity must provide training to law enforcement and firefighters prior to them being allowed to administer the epinephrine delivery system. Additionally, the Act exempts law enforcement and firefighters who administer an epinephrine auto-injectable as allowed under the Act from civil and criminal liability so long as the epinephrine auto-injectable is administered in good faith. The bill would modify these provisions to refer to an epinephrine delivery system instead of an epinephrine auto-injector.

House Bill 5052

Under the child care licensing Act, a minor may possess and use an epinephrine auto-injector at a children's camp, on camp-sponsored transportation, or at any activity, event, or program sponsored by the children's camp in which the minor child is participating, so long as the camp does not have policies to the contrary. The Act exempts a children's camp and its employees from civil liability arising out of a minor's use of an epinephrine auto-injector in the manner allowed by the Act. The bill would modify these provisions to refer to an epinephrine delivery system instead of an epinephrine auto-injector.

House Bill 5053

Under the Public Health Code, a medical control authority must establish written protocols for the practice of life support agencies and licensed emergency medical services personnel within its region. Among other protocols, a medical control authority must require medical first response services and licensed medical first responders to be trained in the use of and

equipped with an epinephrine auto-injector. The bill would modify these provisions to refer to an epinephrine delivery system instead of an epinephrine auto-injector.

House Bill 5054

The Revised School Code exempts a school employee who in good faith administers an epinephrine auto-injector to an individual pursuant to the school's policies from civil and criminal liability as a result of an act or omission in the administration, except for an act or omission amounting to gross negligence or willful or wanton misconduct. The bill would modify these provisions to refer to an epinephrine delivery system instead of an epinephrine auto-injector.

MCL 380.1179a (H.B. 5049)
MCL 333.17744a & 333.17744d (H.B. 5050)
MCL 28.281 – 28.823. (H.B. 5051)
MCL 722.127a (H.B. 5052)
MCL 333.20919 (H.B. 5053)
MCL 380.1178 & 380.1179 (H.B. 5054)

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FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

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