

HOUSE BILL NO. 5052

September 24, 2025, Introduced by Reps. DeBoer, Snyder, Pavlov, Weiss, Xiong, BeGole, Foreman, Tsernoglou, Schmaltz, Kuhn, Frisbie, Jenkins-Arno, Meerman, Bierlein, B. Carter, Hoskins, Bohnak, Prestin, St. Germaine and Tisdell and referred to Committee on Education and Workforce.

A bill to amend 1973 PA 116, entitled

"An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,"

by amending section 17a (MCL 722.127a), as added by 2005 PA 120.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 17a. (1) If the conditions ~~prescribed in~~ **described under**
- 2 subsection (2) are met, notwithstanding any children's camp policy
- 3 to the contrary, a minor child may possess and use 1 or more of the

1 following at the children's camp, on camp-sponsored transportation,
2 or at any activity, event, or program sponsored by the children's
3 camp or in which the minor child is participating:

4 (a) A metered dose inhaler or a dry powder inhaler to
5 alleviate asthmatic symptoms or for use before exercise to prevent
6 the onset of asthmatic symptoms.

7 (b) An epinephrine ~~auto-injector~~ **delivery system** or
8 epinephrine inhaler to treat anaphylaxis.

9 (2) Subsection (1) applies to a minor child if all of the
10 following conditions are met:

11 (a) The minor child has written approval to possess and use
12 the inhaler or epinephrine ~~auto-injector~~ **delivery system** as
13 described in subsection (1) from the minor child's physician or
14 other health care provider authorized by law to prescribe an
15 inhaler or epinephrine ~~auto-injector~~ **delivery system** and from the
16 minor child's parent or legal guardian.

17 (b) The director or other chief administrator of the minor
18 child's camp has received a copy of each written approval required
19 under subdivision (a) for the minor child.

20 (c) There is on file at the children's camp a written
21 emergency care plan that contains specific instructions for the
22 minor child's needs, that is prepared by a licensed physician in
23 collaboration with the minor child and the minor child's parent or
24 legal guardian, and that is updated as necessary for changing
25 circumstances.

26 (3) A children's camp or an owner, director, or employee of a
27 children's camp is not liable for damages in a civil action for
28 injury, death, or loss to person or property allegedly arising from
29 either of the following:

1 (a) An employee of the children's camp having prohibited a
2 minor child from using an inhaler or epinephrine ~~auto-injector~~
3 **delivery system** because the conditions prescribed in subsection (2)
4 had not been satisfied.

5 (b) An employee of the children's camp having permitted a
6 minor child to use or possess an inhaler or epinephrine ~~auto-~~
7 ~~injector~~**delivery system** because the conditions prescribed in
8 subsection (2) had been satisfied.

9 (4) This section does not eliminate, limit, or reduce any
10 other immunity or defense that a camp or an owner, director, or
11 employee of a camp may have under other state law.

12 (5) A children's camp may request a minor child's parent or
13 legal guardian to provide an extra inhaler or epinephrine ~~auto-~~
14 ~~injector~~**delivery system** to designated camp personnel for use in
15 case of emergency. A parent or legal guardian is not required to
16 provide an extra inhaler or epinephrine ~~auto-injector~~**delivery**
17 **system** to camp personnel.

18 (6) A director or other chief administrator of a children's
19 camp who is aware that a minor child possesses an inhaler or
20 epinephrine ~~auto-injector~~**delivery system** as authorized under this
21 section shall notify each camp employee who supervises the minor
22 child of that fact and of the provisions of this section.

23 (7) **As used in this section, "epinephrine delivery system"**
24 **means that term as defined in section 17744a of the public health**
25 **code, 1978 PA 368, MCL 333.17744a.**

26 Enacting section 1. This amendatory act does not take effect
27 unless all of the following bills of the 103rd Legislature are
28 enacted into law:

29 (a) House Bill No. 5054 (request no. H02192'25).

- 1 (b) House Bill No. 5049 (request no. H02193'25).
- 2 (c) House Bill No. 5050 (request no. H02479'25).
- 3 (d) House Bill No. 5051 (request no. H02911'25).
- 4 (e) House Bill No. 5053 (request no. H03176'25).