

STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 1999

Introduced by Reps. Law, Richner, Rocca, Cassis, Faunce, Woronchak, Green, Mortimer, Koetje, Toy,
DeVuyst, Kelly, LaForge, Jelinek, Howell, DeHart, Van Woerkom, Vear and Hager

ENROLLED HOUSE BILL No. 4420

AN ACT 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:

Sec. 4. (1) Subject to subsection (2), an individual who having no duty to do so in good faith voluntarily renders cardiopulmonary resuscitation to another individual is not liable in a civil action for damages resulting from an act or omission in rendering the cardiopulmonary resuscitation, except an act or omission that constitutes gross negligence or willful and wanton misconduct.

(2) Subsection (1) applies only to a civil action that is filed or pending on or after May 1, 1986.

(3) Subject to subsection (5), an individual who having no duty to do so in good faith voluntarily renders emergency services to another individual using an automated external defibrillator is not liable in a civil action for damages resulting from an act or omission in rendering the emergency services using the automated external defibrillator, except an act or omission that constitutes gross negligence or willful and wanton misconduct.

(4) Subject to subsection (5), the following persons are not liable in a civil action for damages resulting from an act or omission of an individual rendering emergency services using an automated external defibrillator as described in subsection (3), except if the person's actions constitute gross negligence or willful and wanton misconduct:

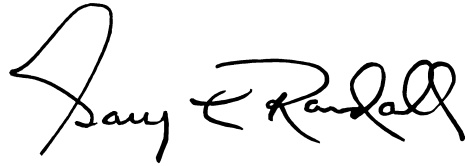
(a) A physician who provides medical authorization for use of an automated external defibrillator.

(b) An individual who instructs others in the use of an automated external defibrillator.

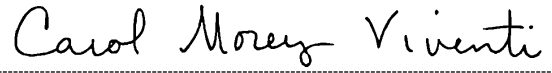
(c) An individual or entity that owns, occupies, or manages the premises where an automated external defibrillator is located or used.

(5) Subsections (3) and (4) apply only to a civil action that is filed or pending on or after the effective date of the amendatory act that added this subsection.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved

Governor.