

HOUSE BILL No. 4518

April 2, 2003, Introduced by Reps. Gielegem, Byrum, Bieda, Brown, Lipsey, Gillard, Elkins, Gleason, Meisner, Law, Hopgood, Murphy, Wojno, Cheeks, Paletko, Accavitti, Tobocman, Smith, Zelenko, Dennis, Vagnozzi, McConico, Sak, Farrah, Hune, Williams, Woodward, Reeves, Palsrok, Ruth Johnson, Pappageorge, Hart, Hager, Shaffer, Vander Veen, Voorhees, Kooiman, O'Neil, Hunter, Whitmer, Anderson, Rivet, Condino, Waters, Rocca, Jamnick, Plakas, Kolb, Hoogendyk, Sheen, Wenke, Nofs, Phillips, Adamini, Sheltrown and Daniels and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding sections 17750b and 20911.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17750b. Pursuant to a prescription issued by a
2 prescriber, a pharmacist may dispense 1 or more premeasured dose
3 epinephrine auto-injectors to a person or individual licensed
4 under part 209.

5 Sec. 20911. (1) A person or individual licensed under this
6 part shall purchase, acquire, possess, and use epinephrine
7 auto-injectors in accordance with this section.

8 (2) The use of epinephrine auto-injectors under this section
9 is limited as follows:

10 (a) A person or individual licensed under this part shall not
11 use epinephrine auto-injectors unless he or she has successfully

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1 completed a training course in the use of epinephrine
2 auto-injectors approved by the director pursuant to rules of the
3 department. This subdivision does not prohibit the use of
4 epinephrine auto-injectors by either of the following:

5 (i) A health care practitioner licensed or registered under
6 article 15 and acting within the scope of his or her practice.

7 (ii) An individual acting pursuant to a lawful prescription.

8 (b) Each person or individual licensed under this part and
9 authorized to possess and use epinephrine auto-injectors under
10 this section shall use, maintain, and dispose of the devices
11 pursuant to rules promulgated by the department.

12 (c) Each person or individual licensed under this part that
13 uses an epinephrine auto-injector pursuant to this section shall
14 immediately report the use to the emergency health care
15 provider.

16 (3) Use of an epinephrine auto-injector pursuant to this
17 section is considered first aid or emergency treatment for the
18 purpose of statutes relating to liability. The purchase,
19 acquisition, possession, or use of an epinephrine auto-injector
20 pursuant to this section does not constitute the unlawful
21 practice of a licensed health profession under article 15. A
22 person otherwise authorized to sell or provide an epinephrine
23 auto-injector may sell or provide it to a person or individual
24 licensed under this part and authorized to possess and use it
25 pursuant to this section.

26 (4) As used in this section, "emergency health care provider"
27 means any of the following:

1 (a) A physician supervising the activities of the person or
2 individual licensed under this part.

3 (b) A physician with knowledge and experience in the delivery
4 of emergency care.

5 (c) A hospital licensed under article 17 that has an
6 emergency department.