



**House
Legislative
Analysis
Section**

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TORT IMMUNITY FOR FREE DENTAL CARE

House Bill 5106

Sponsor: Rep. Mary Schroer

Committee: Judiciary and Civil Rights

Complete to 1-22-96

A SUMMARY OF HOUSE BILL 5106 AS INTRODUCED 9-21-96

Michigan's "Good Samaritan" law (Public Act 17 of 1963) provides limited liability for certain people (including health care providers, "block parents," and National Ski Patrol members) who voluntarily give emergency care or care at competitive sporting events under certain circumstances.

The bill would amend the act to give limited civil immunity under certain circumstances to dental care providers who provided free dental care. More specifically, dental care providers who provided dental care to a patient without receiving direct compensation (defined in the bill to mean direct receipt of payment from a patient or from health care insurance) wouldn't be legally liable (except in cases of gross negligence or willful and wanton misconduct) if the dental care provider first obtained a signed statement indicating that the patient (or his or her parent or guardian) knew both that the dental care was free (was provided by the provider without direct compensation) and that the dental care provider had limited immunity from liability under the bill.

MCL 691.1503

House Bill 5106 (1-22-96)

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