MEDICAL EMERGENCIES IN HEALTH CLUBS
Act 23 of 2006

AN ACT to regulate certain health clubs with respect to potential medical emergencies; and to provide for civil sanctions.

History: 2006, Act 23, Imd. Eff. Feb. 16, 2006.

The People of the State of Michigan enact:

333.26311 Definitions.

Sec. 1. As used in this act:

(a) "AED" means automated external defibrillator.

(b) "Department" means the department of community health.

(c) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.

(d) "Health club" means an establishment that provides, as its primary purpose, services or facilities that are purported to assist patrons in physical exercise, in weight control, or in figure development, including, but not limited to, a fitness center, studio, salon, or club. A health club does not include a hotel or motel that provides physical fitness equipment or activities, an organization solely offering training or facilities for an individual sport, or a weight reduction center.

History: 2006, Act 23, Imd. Eff. Feb. 16, 2006.

Compiler's note: For creation of department of health and human services and abolishment of department of community health, see E.R.O. No. 2015-1, compiled at MCL 400.227.

333.26312 Owner or operator of health club; duties.

Sec. 2. Beginning 1 year after the effective date of this act, the owner or operator of a health club shall do all of the following:

(a) Employ at least 1 individual who has satisfactorily completed a course or courses in basic first aid, basic cardiopulmonary resuscitation, and AED use taught by the American red cross, the American heart association, or an equivalent organization approved by the department.

(b) Have available on the premises of the health club an AED deployed in a manner that provides obvious and ready accessibility to staff, members, and guests.

(c) Develop and implement an emergency plan to address emergency services, when needed, during operational hours at the health club.

History: 2006, Act 23, Imd. Eff. Feb. 16, 2006.

333.26313 Emergency service.

Sec. 3. (1) A person, including, but not limited to, a health club owner, operator, or employee, does not have a duty to render emergency service to an individual using an AED that a health club has on the premises.

(2) This act does not limit the applicability of 1963 PA 17, MCL 691.1501 to 691.1507.

History: 2006, Act 23, Imd. Eff. Feb. 16, 2006.

333.26314 Violation as civil infraction; civil fine.

Sec. 4. A person who violates this act is responsible for a state civil infraction and shall be ordered to pay a civil fine as follows:

(a) Not more than $250.00 for a first offense.

(b) Not more than $500.00 for a second offense.

(c) Not more than $1,000.00 for a third or subsequent offense.

History: 2006, Act 23, Imd. Eff. Feb. 16, 2006.

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