

ADMINISTRATION OF OPIOID ANTAGONISTS ACT (EXCERPT)
Act 39 of 2019

***** 15.677.amended THIS AMENDED SECTION IS EFFECTIVE APRIL 2, 2025 *****

15.677.amended Immunity from civil liability or criminal prosecution.

Sec. 107. (1) An agency that purchases or otherwise obtains, possesses, or distributes an opioid antagonist under section 103 or 106 is immune from civil liability for injury, death, or damages arising out of the administration or distribution of that opioid antagonist to an individual under this act, if the conduct does not amount to gross negligence that is the proximate cause of the injury, death, or damages. As used in this subsection, "gross negligence" means that term as defined in section 7 of 1964 PA 170, MCL 691.1407.

(2) An employee or agent that possesses, administers, or fails to administer an opioid antagonist under section 105 or distributes an opioid antagonist under section 106 is immune from civil liability for injury, death, or damages arising out of the distribution or administration of or failure to administer that opioid antagonist to an individual under this act, if the conduct does not amount to willful or wanton misconduct that is the proximate cause of the injury, death, or damages.

(3) An agency that purchases or otherwise obtains, possesses, or distributes an opioid antagonist under section 103 or 106, and an employee or agent that possesses, administers, or fails to administer an opioid antagonist under section 105 or distributes an opioid antagonist under section 106, is not subject to criminal prosecution for purchasing or otherwise obtaining, possessing, or distributing an opioid antagonist under this act or for administering or failing to administer an opioid antagonist to an individual under this act.

(4) This section does not eliminate, limit, or reduce any other immunity or defense that may be available under the laws of this state.

History: 2019, Act 39, Eff. Sept. 24, 2019;—Am. 2020, Act 321, Imd. Eff. Dec. 29, 2020;—Am. 2024, Act 231, Eff. Apr. 2, 2025.