

LIABILITY OF CERTAIN PERSONS FOR EMERGENCY CARE (EXCERPT)
Act 17 of 1963

***** 691.1502.amended THIS AMENDED SECTION IS EFFECTIVE FEBRUARY 28, 2016 *****

691.1502.amended Emergency care; exemption from civil liability; exception; staffing hospital emergency facilities.

Sec. 2. (1) If the individual's actual hospital duty does not require a response to the emergency situation, a physician, physician's assistant, dentist, podiatrist, intern, resident, registered professional nurse, licensed practical nurse, physical therapist, clinical laboratory technologist, inhalation therapist, certified registered nurse anesthetist, x-ray technician, or licensed EMS provider who in good faith responds to a life threatening emergency or responds to a request for emergency assistance in a life threatening emergency in a hospital or other licensed medical care facility is not liable for civil damages as a result of an act or omission in the rendering of emergency care, except an act or omission amounting to gross negligence or willful and wanton misconduct.

(2) The exemption from liability under subsection (1) does not apply to a physician if a physician-patient relationship, to a physician's assistant if a physician's assistant-patient relationship, or to a licensed nurse if a nurse-patient relationship existed before the emergency.

(3) The exemption from liability under subsection (1) does not apply to a physician's assistant unless the response by the physician's assistant is within the scope of the license held by the physician's assistant or within the expertise or training of the physician's assistant.

(4) This act does not diminish a hospital's responsibility to reasonably and adequately staff hospital emergency facilities if the hospital maintains or holds out to the general public that it maintains emergency room facilities.

History: Add. 1975, Act 123, Imd. Eff. July 1, 1975;—Am. 2002, Act 543, Imd. Eff. July 26, 2002;—Am. 2015, Act 209, Eff. Feb. 28, 2016.

Compiler's note: Enacting section 1 of Act 543 of 2002 provides:

"Enacting section 1. This amendatory act applies to a cause of action arising on or after the effective date of this amendatory act."