

NEGLIGENCE LAW SECTION

Respectfully submits the following position on:

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HB 5587

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The Negligence Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Negligence Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Negligence Law Section is 1,874.

The position was adopted after a discussion and vote at a scheduled meeting. The number of members in the decision-making body is 15. The number who voted in favor to this position was 9. The number who voted opposed to this position was 0.

Report on Public Policy Position**Name of section:**

Negligence Section

Contact person:

Todd Tennis

E-Mail:ttennis@capitol-services.org**Bill Number:**

[HB 5587](#) (Crawford) Health occupations; pharmacists; pharmacist refusing to dispense a prescription; exempt from civil liability under certain circumstances. Amends [1978 PA 368](#) (MCL [333.1101](#) - [333.25211](#)) by adding sec. 17751a.

Date position was adopted:

April 27, 2016

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

15

Number who voted in favor and opposed to the position:

9 Voted for position

0 Voted against position

0 Abstained from vote

6 Did not vote (absent)

Position:

Oppose

Explanation of the position, including any recommended amendments:

The bill grants broad immunity to pharmacists who refuse to dispense medication regardless of the type or amount. The only requirement is that the pharmacist has a belief that the client will use the medication for an illegitimate purpose, even if they have no evidence to support that belief. The section opposes the bill based on the fact that it puts individuals at risk of discrimination without providing a clear public benefit. It could also lead to injuries or worse if legitimate clients are wrongly denied needed medication.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.<http://legislature.mi.gov/doc.aspx?2016-HB-5587>