

**Public Policy Position  
SB 0077**

The Negligence Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 1,791 members. The Negligence Law Section is not the State Bar of Michigan and the position expressed herein is that of the Negligence Law Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Negligence Law Section has a public policy decision-making body with 17 members. On June 12, 2020, the Section adopted its position after an electronic discussion and vote. 12 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 5 members did not vote.

**OPPOSE****Explanation:**

While the section supports the concept of providing nursing home residents and their representatives the choice to place monitoring devices in their rooms, the bill as reported from the Senate Health Policy Committee grants immunity from civil liability to nursing home facilities for harmful actions caused by nursing home staff. Nursing homes should be liable if their staff improperly distribute images from these devices. Moreover, the bill restricts the use of audio monitoring which is unnecessary and conflicts with current Michigan law.

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