



Report on Public Policy Position

Name of Section:

Negligence Law Section

Contact Person:

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Bill Number:

HB 4669 (Vander Veen) Torts; immunity; "Good Samaritan" law; expand to apply to any health care professional providing voluntary, nonemergency services. Amends sec. 16277 of 1978 PA 368 (MCL 333.16277).

Date position was adopted:

May 10, 2005

Process used to take the ideological position:

Council Vote.

Number of members in the decision-making body:

13

Number who voted in favor and opposed to the position:

12-1

FOR SECTIONS ONLY:

- ✓ This subject matter of this position is within the jurisdiction of the section.
- ✓ The position was adopted in accordance with the Section's bylaws.
- ✓ The requirements of SBM Bylaw Article VIII have been satisfied.

If the boxes above are checked, SBM will notify the Section when this notice is received, at which time the Section may advocate the position.

Position:

Opposed to the bill.

The text (may be provided by hyperlink) of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report:

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4669>

RECOMMEND STATE BAR ACTION ON THIS ISSUE:
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Arguments for the position:

Not provided.

Arguments against the position (if any):

Not provided.

If the State Bar currently has a position on this subject matter, state the position, and an analysis of whether the recommended position and the current State Bar position are in conflict.

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

Fiscal implications of the recommended policy to the State Bar of Michigan:

Not provided.

FOR LEGISLATIVE ISSUES ONLY:

This position falls within the following Keller-permissible category:

- The regulation and discipline of attorneys
- The improvement of the functioning of the courts
- ✓ The availability of legal services to society
- The regulation of attorney trust accounts
- The regulation of the legal profession, including the education, the ethics, the competency, and the integrity of the profession.

Keller- permissible explanation:

This bill restricts access to the courts to certain members of the public.