



Medical Amnesty Question and Answer

What is “Medical Amnesty”?

In 2012, the Michigan Liquor Control Code was amended to allow additional exceptions to the minimum legal drinking age law. These exceptions were codified under Public Act 125 and are commonly referred to as “Medical Amnesty”. They exempt a minor involved in the purchase, consumption or possession of alcohol from violation of the minimum legal drinking age if he or she:

- a) Voluntarily presents himself or herself to a health facility or agency for treatment or observation, including examination and treatment for any condition arising from criminal sexual conduct committed against the minor.
- b) Accompanies an individual who has consumed alcohol and who presents himself or herself to a health care facility for treatment or observation.
- c) Initiates contact with a peace officer or emergency medical services personnel for the purpose of obtaining medical assistance for a legitimate health care concern.

How will medical amnesty affect me?

Simply put, medical amnesty helps you protect yourself and your friends. When asked if students approve of getting medical help for a friend who has consumed too much alcohol, 9 out of 10 said they do. Those who said they would not call 911 have in the past often cited legal concerns as a reason – most specifically the fear of getting an MIP (Minor in Possession) violation. With the passage of medical amnesty, this concern has been alleviated. Students who are under the legal drinking age may now reasonably expect that if they seek medical assistance when there are health care concerns related to alcohol use, they will not face criminal prosecution.

So does this mean MIPs are a thing of the past?

The short answer is “No”. You can still get an MIP if the above exceptions are not met. For example, let’s say you get separated from a friend who is very intoxicated and he is later found by the police and transported to the hospital. Since you didn’t call on his behalf and he didn’t proactively request help, he may still get an MIP regardless of the fact that he needed medical care. It doesn’t mean he will get an MIP, but the police would be well within their authority to write your friend a citation for MIP if they chose to do so. This is just one more reason, among many, to stay with friends and watch out for one another when partying.

Does medical amnesty apply to university rules and regulations?

Again, the short answer is “No”. The university still reserves the right to find a minor student in violation of university policy for consuming and/or being in possession of alcohol. However, the penalties for violation are more educational than punitive. Additionally, while the violation may or may not become a part of your academic record, it does not become a part of your legal record.

Does medical amnesty apply to drug overdoses as well?

While Public Act 125 applies to the possession of alcohol only, in October 2016 Michigan’s “Good Samaritan” law was extended to provide immunity from criminal charges for people all ages who are seeking emergency medical assistance for themselves or friends as a result of a drug overdose from any illicit drug. The bottom line is: do not be afraid to call 911 if you or a friend are in need.