



STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GRETCHEN WHITMER
GOVERNOR

GARLIN GILCHRIST II
LT. GOVERNOR

December 30, 2020

Michigan Senate
State Capitol Building
Lansing, MI 48909-7536

Senators,

Today I am returning Enrolled Senate Bill 1185 to you without my approval.

This bill would extend immunity for healthcare providers and facilities from negligence liability for any injury sustained by an individual in relation to the provision of COVID-19 related services, to cover the period from late October 2020 to mid-February 2021.

Earlier this year, I signed an executive order providing similar immunity protections to healthcare providers assisting with COVID-19 emergency response. That order was motivated by the unprecedented challenge of coping with a surging and completely novel pandemic. Later, the Legislature ratified that decision by enrolling HB 6159.

COVID-19 remains persistent and deadly. But we have learned lessons from the Spring 2020 surge and now have a roadmap for treating this disease. When a COVID-19 patient receives substandard care, they should not be deprived of their day in court.

Our frontline healthcare professionals are heroes, and they deserve our full support. That is why I have fought hard for hazard pay, to maintain a healthy supply of PPE, and for robust workplace protections. Immunity from liability, however, is no longer appropriate under the circumstances.

For the foregoing reasons, I am vetoing this legislation.

Respectfully,

A handwritten signature in blue ink, appearing to read "Gretchen Whitmer".

Gretchen Whitmer
Governor