

POLICY NAME: Medical Amnesty Policy

POLICY NUMBER: UW-01-01

Authority Title and Review Information:	Name and Date
Approval Authority:	Senior Vice President for Student Life and Engagement
Responsible Executive:	Assistant Vice President and Dean of Students
Responsible Office:	Office of Student Support & Accountability
Responsible Officer:	Director of Office of Student Support & Accountability
Policy Category:	Academics and Student Life
Effective Date:	July 29, 2022
Last Review Date:	July 29, 2022
Next Review Date:	July 29, 2025

I. POLICY STATEMENT

Student health and safety are of primary concern at Michigan State University. As such, in cases of significant intoxication or injury as a result of alcohol or other substances (including legal and illicit drugs) that require medical attention, the University encourages individuals to seek medical assistance for themselves or others. MSU recognizes that students may be reluctant to seek medical assistance out of fear of consequences related to possessing or consuming alcohol or drugs. The purpose of the Medical Amnesty Policy is to reduce the barriers to seeking medical assistance for emergencies and promote community wellbeing and safety. When this occurs, the University honors that care by prioritizing educational and supportive responses. The University will not pursue disciplinary action through the university student conduct process for violations of the University's alcohol and other drug policies for students who take such action (for themselves or others).

II. SCOPE

This policy applies to all Michigan State University students.

III. DEFINITIONS

For purposes of this policy:

Medical Amnesty: Exemption from discipline for violations of university drug- or alcohol-use/possession policies for Michigan State University students seeking immediate medical assistance for themselves or on behalf of persons experiencing drug- or alcohol-related emergencies and for MSU students requiring medical attention related to a drug- or alcohol-related emergency. Instead, the students will meet with University personnel and be assigned educational interventions when there is concern regarding the safety of a student in connection to the student's alcohol or drug use.

Medical Emergency: A serious and unexpected situation involving illness or injury and requiring immediate action. It is not uncommon for medical assistance to be required after consumption of alcohol and/or drugs.

Examples of medical emergency include, but are not limited to:

1. Alcohol Poisoning/Overdose
2. Drug Overdose
3. Physical injuries as a result of substance use

Signs of Substance Overdose Include:

- Confusion or stupor
- Vomiting while passed out, not waking up after vomiting, or incoherence while vomiting
- Seizures
- Breathing is slow (less than 8 breaths per minute) or irregular, with 10 seconds or more between breaths
- Weak pulse, very rapid pulse, or very slow pulse
- Cold, clammy, pale or bluish skin
- Loss of consciousness: Inability to awaken a person with loud shouting, or inability of a person to remain awake for more than 2-3 minutes or to carry on a coherent conversation when awake (semi-conscious)
- A person who has lost consciousness and cannot be awakened is in danger of dying. Help is needed immediately.

IV. POLICY

In instances where a student seeks medical assistance for themselves or another individual, the University will not pursue disciplinary action through the university student conduct process for violations of the University's alcohol and drug use and/or possession policies for the eligible students.

Students who are eligible for Medical Amnesty:

1. A student who contacts emergency services (Calls 911) or speaks with a University Official (e.g., Resident Assistant or Community Director) in order to obtain medical assistance for themselves or another individual experiencing an alcohol or drug medical-related emergency; and, if applicable:

- a. The student stays with the individual requiring aid;
 - b. The student meets with the appropriate University Staff after the incident;
 - i. The student will be contacted via MSU email for next steps
 - c. The student cooperates with any University investigation related to the incident; and
 - d. The student completes any educational requirement determined by the University.
2. A student who receives medical assistance for an alcohol- or drug-related emergency as the result of another student calling for such assistance.
 3. A student who reports a potential violation of the [Relationship Violence and Sexual Misconduct \(RVSM\) policy](#) or participates in an Office of Institutional Equity (OIE) investigation. Prohibited conduct will not be disciplined by the University for a violation of the University's drug and alcohol possession or consumption policies that may have occurred in connection with the reported incident.

Medical Amnesty does not apply when action to call for help is not taken prior to arrival of a University staff member or emergency personnel.

Medical Amnesty only applies to university alcohol and drug use and/or possession policies. Possession is defined as an individual possessing an amount of alcohol or drugs sufficient only for personal use. A student alleged to be in violation of other Laws, Ordinances, or University Student Regulation other than those related to drug and alcohol use will still be subject to the university disciplinary process for those potential violations.

Medical Amnesty may not be used as a means for students to circumvent University policy. Student conduct administrators will determine on a case-by-case basis whether a student is eligible for Medical Amnesty under this policy.

This process is separate from any legal proceedings and the University cannot guarantee any amnesty outside of the university student conduct system.

V. POLICY PROCEDURES

If a student is eligible for Medical Amnesty, the University will not pursue disciplinary action through the university student conduct process. However, the University recognizes the need to provide support and education related to alcohol and/or drug use.

Students who are eligible for Medical Amnesty must complete the following steps.

1. Eligible students are required to meet with a staff member in the Office of Student Support & Accountability (“OSSA”) or Residence Education and Housing Services (“REHS”).
2. A meeting will be scheduled with an OSSA or REHS staff member. The University will notify and schedule a meeting with the student through their MSU email account.
3. During the meeting, the staff member will determine appropriate educational supports for the student per the University’s Alcohol and Other Drug Tiered Intervention. There will be no cost associated with any educational supports assigned.
4. The student must complete the required educational support(s). Educational support may include, but is not limited to:
 - a. Spartan Smart: an alcohol and other drug workshop
 - b. A confidential one-to-one meeting with an alcohol and other drug specialist

Serious or repeated incidents will prompt a higher degree of concern for the safety of the student and may prompt additional educational requirements to address that concern.

5. Students must complete the requirements in their entirety. If a student fails to complete the requirements in their entirety, they may be subject to additional requirements or may be subject to the formal student conduct process outlined in Article 5 of Student Rights and Responsibilities.
6. During the required meeting, any student who brings their own use, addiction, or dependency to the attention of the staff member will be supported. MSU is committed to supporting students navigating substance use issues. A formal support plan will be developed in partnership with the student and will be used to track engagement by the student. If a student fails to complete the requirements in their entirety, they may be subject to additional requirements or may be subject to the formal student conduct process outlined in Article 5 of Student Rights and Responsibilities.

VI. VIOLATIONS

Students who do not complete the requirements of the Medical Amnesty Policy may be subject to discipline through university student conduct process.

VII. RELATED INFORMATION AND ATTACHMENTS

- [General Student Regulations](#)
- [Relationship Violence and Sexual Misconduct \(RVSM\) policy](#)
- Frequently Asked Questions
- Case Study Examples

VIII. HISTORY

Action	Description
Issued:	<ol style="list-style-type: none">1. [OARC, July 29, 2022]2.
Approved by:	<ol style="list-style-type: none">1. [Senior Vice President for Student Life and Engagement Vennie Gore, July 29, 2022]2.
Revised:	<ol style="list-style-type: none">1. [n/a July 29, 2022]2.

Case Study Examples:

Example 1: Alex consumes a cannabis edible off campus. As they return to campus, they start experiencing adverse effects. Afraid they are perhaps having a medical emergency, Alex calls 911. The incident is reported by the Resident Assistant (RA), who is dispatched to Alex's room ahead of emergency crews. Emergency personnel respond and determine that Alex is ok to stay in their room. This is the first time that Alex has been reported for an alcohol/drug policy violation.

- Does Medical Amnesty Apply? YES
 - Alex is eligible for Medical Amnesty under the policy because Alex was actively seeking medical attention. Alex will be contacted to meet with the Community Director (CD) to talk about the incident and engage in a free educational opportunity, to help reduce the chance of Alex experiencing a similar situation again.

Example 2: Chris consumes LSD and begins to have a panic attack in the bathroom after locking themselves out of their room. When Chris' sober friends find Chris on the bathroom floor, they contact an RA. The RA calls 911 for medical response. Chris is taken to the hospital for assessment and monitoring.

- Does Medical Amnesty Apply? YES
 - Chris is eligible for Medical Amnesty because although Chris was not actively seeking medical attention, their friends did so on their behalf. The Community Director will reach out to Chris to reflect on the incident and receive additional supports.

Example 3: Jay is in a campus apartment with a number of other students. Everyone present is underage and under the influence of some substance, either drugs and/or alcohol. Jay becomes belligerent and punches a hole in the living room wall. Jay then loses consciousness. Another student present tries to help Jay and calls for medical

assistance. Paramedics arrive to assess Jay and RAs respond to the scene, listing everyone present. RAs also note the hole in the living room wall and that the smoke detector is covered.

- Does Medical Amnesty Apply? YES
 - Jay is eligible for Medical Amnesty related to alcohol use policies, but Jay is not eligible for amnesty for the other General Student Regulations violated when Jay punched a hole in the wall of a campus building. The Medical Amnesty policy may apply to Jay's friends, depending on the circumstances. Although Jay's friends sought medical attention for Jay, they may be held responsible for policy violations other than alcohol and drug violations because of the covered smoke detector, which places the entire community at risk. All students will be contacted by the Community Director to discuss the incident and may be referred to other support services.

Example 4: Joey and Skylar are at a campus party when Skylar begins to show signs of intoxication (slurred speech, unsteady on her feet). Joey decides to walk Skylar home to their residence hall. While walking, an RA sees Skylar walking unsteadily and stops Skylar and Joey. The RA contacts emergency services to get help for Skylar.

- Does Medical Amnesty Apply? NO
 - MSU's Medical Amnesty does not apply because Joey was not actively seeking medical attention for Skylar, and Joey did not seek out a qualified individual (such as Resident Assistant, Community Director, or police officer) to assess Skylar's condition. Both students will be contacted by the Community Director or Conduct Officer to discuss the incident and may be referred to other support services or face discipline.

Example 5: An East Lansing Police officer observes a large group of people exiting Harpers late one night. The officer observes Jean being held up by two of their friends; Jean then punches one of the friends in the face. The East Lansing police officer calls for an ambulance.

- Does Medical Amnesty Apply? NO
 - MSU's Medical Amnesty does not apply to Jean because their friends were not seeking medical attention for Jean. Had the friends affirmatively called 911 or sought out the police officer, Jean and Jean's friends would be eligible for Medical Amnesty related to alcohol and/or drug use. Additionally, Jean may have violated other universities policies by punching the friend. Jean will be contacted by Office of Student Support & Accountability to discuss the incident and may be referred to other support services.

Frequently Asked Questions:

WHAT IS THE PURPOSE OF THE MEDICAL AMNESTY POLICY?

Student health and safety are of primary concern at Michigan State University. As such, in cases of significant intoxication or injury as a result of alcohol or other substances (including legal and illicit drugs), the University encourages individuals to seek medical assistance for themselves or others. The purpose of the Medical Amnesty Policy is to reduce the barriers to seeking medical assistance for emergencies and promote community wellbeing and safety. When this occurs, the University honors that care by prioritizing educational and supportive responses. The University will not pursue formal conduct proceedings for violations of the University's alcohol and other drug policies for students or student groups who seek medical assistance.

HOW DOES THE MEDICAL AMNESTY POLICY WORK?

In serious or life-threatening situations, particularly where alcohol poisoning or drug overdose is suspected or where other medical treatment is reasonably believed to be appropriate, students are asked to take the following steps:

- Call 911
- Stay with the person needing assistance until help arrives.
- Cooperate with university and emergency personnel throughout situation including after the incident has concluded.

If a student is heavily intoxicated or is incapacitated, letting that person "sleep it off" or having a friend "look after" that person are not reasonable alternatives to getting them the necessary medical help.

WHAT HAPPENS AFTER MEDICAL HELP IS PROVIDED?

- A meeting will be scheduled with a university staff member and will be notified of when this meeting will occur via your MSU email account.
- During the meeting, the staff member, after discussing the situation, will determine appropriate educational supports for the student per the University's Alcohol and Other Drug Tiered Intervention. There will be no cost associated with these educational supports.

- These educational supports are required to be completed by the student. Educational support may include, but are not limited to:
 - Spartan Smart: an alcohol and other drug workshop
 - A confidential one-to-one meeting with an alcohol and other drug specialist

Serious or repeated incidents will prompt a higher degree of safety concern and action.

- Students are expected to complete the requirements in its entirety. If a student fails to complete the requirements, they may be subject to additional requirements or to formal disciplinary action.

WILL MY PARENTS FIND OUT?

In general, no. Parents are NOT notified by the university if a student needed medical assistance as a result of alcohol or other drug consumption. If a registered student is transported to an emergency medical treatment center for alcohol or drug use, the student's parents or guardians may be notified by the supporting medical staff if under 18 or deemed necessary.

DOES THE UNIVERSITY MEDICAL AMNESTY POLICY PROTECT STUDENTS FROM POLICE OR LEGAL ACTIONS?

No. The Medical Amnesty Policy only applies to MSU Student Regulations and University conduct processes. It does not prevent or preclude police or other legal actions. However, there is a [State of Michigan Medical Amnesty Law](#) and [Good Samaritan Law](#) that may also offer some legal protections when seeking medical care or treatment with alcohol or other drugs involved. More information about that state's amnesty law is available [here](#).

WILL INCIDENTS INVOLVING THE MEDICAL AMNESTY POLICY BE ON MY ACADEMIC OR DISCIPLINARY RECORD?

No. Medical Amnesty Policy incidents will not be entered on the student's official academic record and will not be listed as a disciplinary record.

WHAT IS NOT COVERED BY THE MEDICAL AMNESTY POLICY?

Other prohibited behavior (including but not limited to distribution of illegal substances; harassment; physical misconduct; sexual misconduct; and hazing). The Medical Amnesty Policy is specific to help seeking behaviors when alcohol or other drugs are involved. In situations of relationship violence and sexual misconduct MSU's RVSM Policy addresses the following:

<https://civilrights.msu.edu/policies/relationship-violence-and-sexual-misconduct-and-title-ix-policy.html>

IS THERE A LIMIT TO THE NUMBER OF TIMES A STUDENT MAY BE ELIGIBLE FOR MEDICAL AMNESTY UNDER THE POLICY?

No. Students are always encouraged to look after their friends and peers and are encouraged to take responsible actions anytime they are necessary.

However, if a student is involved in repeat alcohol and/or drug use incidents, measures will be taken to appropriately address the behavior according to the following:

- The situation will be reviewed by the OSSA or REHS to determine if the student qualifies for Medical Amnesty.
- If a student has previously received Medical Amnesty multiple times or has been transported multiple times for medical treatment, staff will reach out to student to determine if additional supports are needed in order to prevent future harms and risks related to high-risk use.
- If a student does not demonstrate a commitment to the steps recommended by the alcohol and other drug professional and is involved in repetitive alcohol and/or drug abuse incidents, the University will seek alternative supports and actions which could include a referral to the formal student conduct process.

WHAT IS ALCOHOL POISONING?

Alcohol poisoning is another term for an alcohol overdose, which may occur when individuals consume so much alcohol that their bodies can no longer process it fast enough. Alcohol poisoning and overdoses are potentially lethal; the human body simply

cannot tolerate or process excessive amounts of alcohol. Too many college students have died as a result of alcohol poisoning.

WHAT ARE THE SIGNS OR SYMPTOMS OF ALCOHOL POISONING OR OVERDOSE?

The signs or symptoms of alcohol poisoning include (not all of these need to be present):

- Confusion or stupor
- Vomiting while passed out, not waking up after vomiting, or incoherent while vomiting
- Seizures
- Breathing is slow (less than 8 breaths per minute) or irregular, with 10 seconds or more between breaths
- Weak pulse, very rapid pulse, or very slow pulse
- Cold, clammy, pale or bluish skin
- Loss of consciousness: Inability to awaken a person with loud shouting, or inability of a person to remain awake for more than 2-3 minutes or to carry on a coherent conversation when awake (semi-conscious)
- A person who has lost consciousness and cannot be awakened is in danger of dying. Help is needed immediately.

HOW DO I HELP A FRIEND WHO MIGHT BE EXPERIENCING ALCOHOL POISONING OR OVERDOSE?

1. Call 911
2. If you are in a residence hall on campus, send someone to notify University Housing staff at the front desk in the building, but do not leave the person alone.
3. Stay with the person until emergency help arrives.
4. Be prepared to give the emergency medical personnel as much information as possible including the amount and type of alcohol or substances consumed.

WHAT SHOULD I DO AFTER CALLING FOR HELP?

- Stay with the individual until help arrives
- Stay on the line with emergency personnel
- If comfortable, follow the instructions of emergency personnel
- If possible, ask for someone to meet emergency personnel outside to escort emergency personnel to the incapacitated individual

WHAT SHOULD I AVOID WHEN HELPING SOMEONE EXPERIENCING ALCOHOL POISONING OR OVERDOSE?

- Do not hesitate to call 911. The person's life is in danger. Better to be safe.
- Do not leave the person alone. The person may seem to be okay, but the alcohol ingested may take some time to be absorbed before peak levels are reached in the brain.
- Do not try to give the person anything to eat or drink.
- Do not put the person in a cold shower. The person could fall or the shock could cause them to become unconscious.
- Do not try to induce vomiting. Vomiting may happen naturally while the person is conscious, but do not try to induce vomiting. If the person is unconscious, unable to wake up when vomiting or incoherent when vomiting, turn them on their side and call 911 immediately.
- Do not just let them "sleep it off" or "take care" of the person.