

Medical Amnesty for Students Policy

Subject Student Success

Web Link https://www.montana.edu/policy/medical_amnesty.html

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Responsible Party Dean of Students

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Purpose

Montana State University recognizes that students may hesitate to seek medical assistance for themselves or others in emergencies related to drug or alcohol use. To ensure students receive prompt and appropriate medical attention, and to remove impediments to seeking help, the University has implemented this Medical Amnesty policy. This policy encourages students to prioritize safety without fear of disciplinary action for alcohol or drug violations that occur in medical emergencies. This policy applies to all University students, regardless of age, in situations where urgent medical care is needed.

Policy

A. Reporting and Cooperation

Students and student organizations must immediately contact emergency medical services or law enforcement when they or someone else is too impaired to seek help or otherwise needs urgent medical attention. Students should act promptly and not wait for conditions to worsen.

When reporting a medical emergency, the University requests that students:

- Remain with the individual in need until help arrives
- Immediately contact University or emergency personnel:
 - Call 911 for University Police or other appropriate emergency services
 - Seek help from residence hall staff, including Resident Assistants or staff working the front desk
- Cooperate fully with responders, providing relevant information (e.g., substances consumed, prior medical conditions, circumstances leading to the emergency, etc.)

B. Scope of Amnesty

Students who seek help and fully cooperate with responders will not face student conduct sanctions, and no conduct file will be created for the alcohol or drug violation(s) related to the emergency.

For student organizations, Medical Amnesty applies when the organization cooperates fully with responders and University staff, documents the incident appropriately, and completes any required risk management or educational steps. Repeated use of the policy by an organization will be evaluated on a case-by-case basis.

Students or student organizations that engage in other violations that occur concurrently with the alleged alcohol/drug violation(s) may still be subject to disciplinary action.

Medical Amnesty under this policy applies to students who actively report a medical emergency for themselves or another person, as well as to those who provide responsible assistance during the incident. Amnesty covers only violations of University alcohol or drug policies and does not provide immunity from violations of state or federal law.

C. Relation to Sexual Misconduct Policies

Amnesty for alcohol or drug violations does not affect obligations to report sex-based discrimination, sexual harassment, sexual misconduct, dating violence, domestic violence, or stalking. These matters are addressed in the University's [Equal Opportunity, Non-Discrimination and Harassment Policy](#).

D. Initiation of Contact Requirements

To receive Medical Amnesty, students or student organizations must affirmatively and promptly contact University Student Housing officials, emergency medical services, or law enforcement. Amnesty does not apply if students report a medical issue only after responders arrive for unrelated reasons. Failure to initiate contact may result in disciplinary measures.

E. Examples of Covered Medical Emergencies

Medical Amnesty may apply in urgent medical emergencies related to alcohol or drug use, such as:

- Unconsciousness or unresponsiveness to verbal or physical cues
- Irregular, shallow, or slow breathing
- Clammy, bluish, or pale skin
- Seizures, mental confusion, or stupor
- Vomiting, especially while asleep or unconscious
- Suspected overdose
- Any other situation where immediate medical attention is needed

Routine alcohol or drug violations that do not pose a medical emergency are not covered by this policy.

F. Documentation and Support

The Dean of Students or designee will document the names of students or student organizations involved in the incident for record-keeping and future evaluation. These records shall be maintained separately from disciplinary records and do not constitute a disciplinary finding or sanction. These records may be considered as relevant contextual information in future decision-making. Students involved in an incident may be required to participate in University substance use education programs at no cost. These requirements are considered educational or supportive measures and shall not be recorded as disciplinary sanctions.

G. Repeated Use/Abuse

Repeated or intentional misuse of this policy to avoid disciplinary action may be considered interference with the conduct process and could result in additional student conduct measures at the discretion of the Dean of Students or designee.