

HOUSE BILL No. 5144

September 24, 1991, Introduced by Reps. Gire, Bennane, Yokich, Rocca, Hunter, Hertel, Leland, Barns, Gubow, Stallworth and Palamara and referred to the Committee on Public Health.

A bill to amend Act No. 368 of the Public Acts of 1978,
entitled as amended

"Public health code,"

as amended, being sections 333.1101 to 333.25211 of the Michigan
Compiled Laws, by adding sections 17018 and 17518.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 368 of the Public Acts of 1978, as
2 amended, being sections 333.1101 to 333.25211 of the Michigan
3 Compiled Laws, is amended by adding sections 17018 and 17518 to
4 read as follows:

5 SEC. 17018. (1) EXCEPT AS OTHERWISE PROVIDED IN
6 SUBSECTION (4), BEGINNING 120 DAYS AFTER THE EFFECTIVE DATE OF
7 THIS SECTION, A PHYSICIAN WHO PERFORMS SURGICAL PROCEDURES SHALL
8 INFORM EACH SURGICAL PATIENT WHO IS SCHEDULED FOR SURGERY AND FOR
9 WHOM THE POSSIBILITY EXISTS THAT A BLOOD TRANSFUSION MAY BE

1 NECESSARY OF THE OPTION OF STORING HIS OR HER OWN BLOOD OR BLOOD
2 PRODUCTS FOR TRANSFUSION PURPOSES, PURSUANT TO THIS SECTION.

3 (2) A PHYSICIAN IS IN COMPLIANCE WITH SUBSECTION (1) IF THE
4 PHYSICIAN PRESENTS TO THE PATIENT A STANDARDIZED, WRITTEN SUMMARY
5 DEVELOPED AND DISTRIBUTED BY THE DEPARTMENT OF PUBLIC HEALTH PUR-
6 SUANT TO SUBSECTION (3). THE PHYSICIAN SHALL PRESENT THE STAN-
7 DARDIZED, WRITTEN SUMMARY TO THE PATIENT WITHIN A TIME PERIOD
8 BEFORE THE SCHEDULED SURGERY THAT IS SUFFICIENT TO ALLOW THE
9 PATIENT TO COMPLETE THE BLOOD STORAGE PROCEDURE. THE PHYSICIAN
10 SHALL NOTE IN THE PATIENT'S MEDICAL RECORD THAT THE STANDARDIZED,
11 WRITTEN SUMMARY WAS PRESENTED TO THE PATIENT.

12 (3) THE DEPARTMENT OF PUBLIC HEALTH SHALL DEVELOP AND DIS-
13 TRIBUTE THE STANDARDIZED, WRITTEN SUMMARY DESCRIBED IN SUBSECTION
14 (2) WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION. THE
15 DEPARTMENT OF PUBLIC HEALTH SHALL WRITE THE SUMMARY IN NONTECHNI-
16 CAL, EASILY UNDERSTOOD TERMS, SHALL PRODUCE COPIES OF THE SUMMARY
17 IN BOTH ENGLISH AND SPANISH, AND SHALL PROVIDE COPIES OF THE SUM-
18 MARY FREE OF CHARGE UPON REQUEST TO HEALTH FACILITIES AND AGEN-
19 CIES, PHYSICIANS, AND OTHER HEALTH PROFESSIONALS AND AT COST UPON
20 REQUEST TO OTHER PERSONS.

21 (4) SUBSECTION (1) DOES NOT APPLY IF MEDICAL CONTRAINDICA-
22 TIONS OR AN EMERGENCY MEDICAL CONDITION EXISTS.

23 SEC. 17518. (1) EXCEPT AS OTHERWISE PROVIDED IN
24 SUBSECTION (4), BEGINNING 120 DAYS AFTER THE EFFECTIVE DATE OF
25 THIS SECTION, A PHYSICIAN WHO PERFORMS SURGICAL PROCEDURES SHALL
26 INFORM EACH SURGICAL PATIENT WHO IS SCHEDULED FOR SURGERY AND FOR
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