

Act No. 116  
Public Acts of 1993  
Approved by the Governor  
July 20, 1993  
Filed with the Secretary of State  
July 20, 1993

**STATE OF MICHIGAN  
87TH LEGISLATURE  
REGULAR SESSION OF 1993**

**Introduced by Reps. Gire, Schroer, Horton, Baade, Anthony, Scott, Freeman, Rivers, Points, Ciaramitaro, Bennane, Willard, Dalman, Kilpatrick, Saunders, Bankes, Dolan, Bobier, Martin and Brown**

# **ENROLLED HOUSE BILL No. 4140**

AN ACT to amend Act No. 368 of the Public Acts of 1978, entitled as amended "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," as amended, being sections 333.1101 to 333.25211 of the Michigan Compiled Laws, by adding section 21532.

*The People of the State of Michigan enact:*

Section 1. Act No. 368 of the Public Acts of 1978, as amended, being sections 333.1101 to 333.25211 of the Michigan Compiled Laws, is amended by adding section 21532 to read as follows:

Sec. 21532. (1) A hospital shall provide to an unmarried mother of a live child born in that hospital a form that can be completed by the child's mother and father to acknowledge paternity of the child as provided in section 111(4)(a) of the revised probate code, Act No. 642 of the Public Acts of 1978, being section 700.111 of the Michigan Compiled Laws. The hospital shall provide the information developed pursuant to subsection (2) on the purpose and completion of the form and on the rights and responsibilities of the parents. The hospital shall do both of the following:

(a) File the completed acknowledgment of paternity with the probate court of the mother's county of residence for recording. Upon filing with the probate court, the acknowledgment establishes legal paternity as provided in section 111 of Act No. 642 of the Public Acts of 1978.

(b) Provide the department with a copy of the completed acknowledgment of paternity.

(2) The department shall develop and distribute free of charge to hospitals the acknowledgment of paternity form, the information on the purpose and completion of the form, and the information on the rights and responsibilities of the parents, and shall provide assistance and training to hospital staff assigned responsibility for providing the information,

as appropriate. The acknowledgment of paternity form and information shall clearly state that completion of the form is voluntary on the part of the mother and father. Information on the rights and responsibilities of parents shall include at least all of the following:

- (a) The parents' right to assert a claim for visitation or custody after acknowledgment of paternity.
  - (b) The parents' right to notice and a hearing regarding the adoption of the child after acknowledgment of paternity.
  - (c) The parents' responsibility for compliance with a child support order if such an order is issued after acknowledgment of paternity.
- (3) A hospital is immune from civil or criminal liability for providing the form required by this section, the information developed pursuant to this section, or otherwise fulfilling its duties pursuant to this section.

Section 2. This amendatory act shall take effect after the expiration of 6 months after the date of its enactment.

This act is ordered to take immediate effect.

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Co-Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.