



HOUSE BILL No. 4559

March 25, 1993, Introduced by Reps. Jamian, McBryde, Kukuk, Dalman, Hammerstrom, Cropsey, Bobier, Whyman, Gire, Weeks, Galloway, Walberg, Gustafson, Horton, Jaye, Brown, Hill, DeLange and Llewellyn 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 section 16275.

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 section 16275 to read as
4 follows:

5 SEC. 16275. (1) IF A PHYSICIAN OR OTHER HEALTH PROFESSIONAL
6 IS PROVIDING PRENATAL OR PREGNANCY RELATED HEALTH CARE OR OTHER
7 HEALTH CARE TO A PREGNANT WOMAN AND IF THE WOMAN HAS OBSTETRICAL
8 COMPLICATIONS THAT ARE A MEDICAL INDICATION THAT THE WOMAN IS
9 ENGAGING IN SUBSTANCE ABUSE, OR THE PHYSICIAN OR OTHER HEALTH

1 PROFESSIONAL OTHERWISE HAS REASONABLE CAUSE TO BELIEVE THAT THE
2 WOMAN IS ENGAGING IN SUBSTANCE ABUSE, THE PHYSICIAN OR OTHER
3 HEALTH PROFESSIONAL SHALL IMMEDIATELY REPORT TO THE DEPARTMENT,
4 ON A FORM PROVIDED BY THE DEPARTMENT, ALL OF THE FOLLOWING
5 INFORMATION:

6 (A) THE NAME, ADDRESS, AND SIGNATURE OF THE PHYSICIAN OR
7 OTHER HEALTH PROFESSIONAL SUBMITTING THE REPORT.

8 (B) THE NAME AND, IF AVAILABLE, ADDRESS AND TELEPHONE NUMBER
9 OF THE PATIENT.

10 (C) THE REASON FOR THE REPORT AND ANY OTHER MEDICAL INFORMA-
11 TION CONSIDERED NECESSARY BY THE PHYSICIAN OR OTHER HEALTH PRO-
12 FESSIONAL OR CONSIDERED NECESSARY BY THE DEPARTMENT, AS INDICATED
13 ON THE FORM.

14 (2) AS SOON AS POSSIBLE AFTER RECEIVING A REPORT UNDER
15 SUBSECTION (1), THE DEPARTMENT SHALL ATTEMPT TO CONTACT THE WOMAN
16 AND TO PROVIDE OR REFER HER FOR 1 OR MORE OF THE FOLLOWING
17 SERVICES:

18 (A) DAY SUBSTANCE ABUSE TREATMENT.

19 (B) SUBSTANCE ABUSE TREATMENT FOR THE INFANT, IF THE WOMAN
20 HAS GIVEN BIRTH.

21 (C) SUBSTANCE ABUSE COUNSELING AND PREVENTION SERVICES.

22 (D) APPROPRIATE PRENATAL CARE.

23 (E) APPROPRIATE CHILD CARE OR MEDICAL SERVICES, OR BOTH.

24 (F) ANY OTHER SERVICES CONSIDERED BY THE DEPARTMENT TO PRO-
25 MOTE THE HEALTH OF THE PATIENT AND HER FETUS OR INFANT AND TO
26 REDUCE OR ELIMINATE SUBSTANCE ABUSE BY THE PATIENT.

1 (3) A PHYSICIAN WHO IN GOOD FAITH COMPLIES WITH THIS SECTION
2 IS NOT IN VIOLATION OF SECTION 2157 OF THE REVISED JUDICATURE ACT
3 OF 1961, ACT NO. 236 OF THE PUBLIC ACTS OF 1961, BEING SECTION
4 600.2157 OF THE MICHIGAN COMPILED LAWS. A PHYSICIAN OR OTHER
5 HEALTH PROFESSIONAL WHO IN GOOD FAITH COMPLIES WITH THIS SECTION
6 IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY OR ADMINISTRATIVE
7 SANCTIONS ARISING DIRECTLY FROM THE COMPLIANCE.

8 (4) AS USED IN THIS SECTION, "SUBSTANCE ABUSE" MEANS THAT
9 TERM AS DEFINED IN SECTION 6107.