



HOUSE BILL No. 5012

September 12, 1995, Introduced by Reps. Llewellyn and Bush and referred to the Committee on Insurance.

A bill to amend section 2157 of Act No. 236 of the Public Acts of 1961, entitled as amended
"Revised judicature act of 1961,"
as amended by Act No. 102 of the Public Acts of 1989, being section 600.2157 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2157 of Act No. 236 of the Public Acts
2 of 1961, as amended by Act No. 102 of the Public Acts of 1989,
3 being section 600.2157 of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 2157. Except as otherwise provided by law, a person
6 duly authorized to practice medicine or surgery shall not dis-
7 close any information that the person has acquired in attending a
8 patient in a professional character, if the information was
9 necessary to enable the person to prescribe for the patient as a

1 physician, or to do any act for the patient as a surgeon. If the
2 patient brings an action against any defendant to recover for any
3 personal injuries, or for any malpractice, and the patient
4 produces a physician as a witness in the patient's own behalf who
5 has treated the patient for the injury or for any disease or con-
6 dition for which the malpractice is alleged, the patient shall be
7 considered to have waived the privilege provided in this section
8 as to another physician who has treated the patient for the inju-
9 ries, disease, or condition. If a patient has died, the heirs at
10 law of the patient, whether proponents or contestants of the
11 patient's will, shall be considered to be personal representa-
12 tives of the deceased patient for the purpose of waiving the
13 privilege under this section in a contest upon the question of
14 admitting the patient's will to probate. IF A PATIENT HAS DIED,
15 THE BENEFICIARY OF A LIFE INSURANCE POLICY INSURING THE LIFE OF
16 THE DECEASED MAY WAIVE THE PRIVILEGE UNDER THIS SECTION.