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## **FREESTANDING SURGICAL OUTPATIENT FACILITIES: ABORTIONS**

**House Bill 4599**

**Sponsor: Rep. Terry Geiger**

**Committee: Regulatory Reform**

**Complete to 5-25-99**

### **A SUMMARY OF HOUSE BILL 4599 AS INTRODUCED 4-29-99**

The bill would amend the Public Health Code to specify that a freestanding surgical outpatient facility owned by and operated as part of a hospital or the private practice office of a physician, dentist, podiatrist, or other health professional would be considered a freestanding surgical outpatient facility if more than 50 abortions were performed in the facility or private practice office in a calendar year. Currently, hospital surgical outpatient facilities and the private practice office of the health professionals listed above are exempt from the definition of, and therefore requirements relating to, surgical outpatient facilities.

The bill would also require the Department of Consumer and Industry Services to republish several rules that had been declared unconstitutional by violating or interfering with a woman's right to an abortion or not related to a legitimate state interest by a previous federal court of appeals decision [*Birth Control Centers, Inc. v. Reizen*, 743 F.2d 352 (1984)] pertaining to freestanding surgical outpatient facilities that perform more than 50 abortions a year. The new rules would have to conform to the most recent United States Supreme Court decisions regarding state regulation of abortions. "Abortion" is defined in the code (MCL 333.17015).

MCL 333.20104

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.