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House Bill 5548 (Substitute S-1 as reported by the Committee of the Whole)

Sponsor: Representative Janet Kukuk

House Committee: Family and Children Services

Senate Committee: Families, Mental Health and Human Services

## **CONTENT**

The bill would amend the Public Health Code to revise abortion informed consent procedures. The bill would do all of the following:

- Eliminate a requirement that a physician explain a patient's option to review or not review material regarding abortion procedures and fetal depictions.
- Prohibit physician notification requirements for informed consent from being fulfilled by access to an Internet web site, other than the Department of Community Health (DCH) web site, and require the DCH to maintain a web site allowing review of the information that must be provided at least 24 hours before an abortion.
- Require a physician to "provide the patient with a physical copy" of abortion procedure summaries, fetal depictions, and prenatal care and parenting pamphlets. (This would mean confirming DCH web site access or delivering the information in person, by registered mail, by parcel delivery service, or by fax.)
- Prohibit a physician from requiring or obtaining payment from a patient who inquired about or scheduled an abortion until after the required 24-hour waiting period.
- Require the DCH to develop and distribute fetal depictions, illustrations, or photographs (rather than just depictions); and eliminate the requirement that the depictions be based on the Michigan Model for Comprehensive School Health Education.
- Require the DCH, in identifying complications in written summaries of abortion procedures, to consider studies published in peer review medical journals with particular attention to study design.
- Delete a requirement that the DCH approve alternative written summaries of abortion procedures and acknowledgment and consent forms submitted by physicians.
- Delete requirements that local public health departments provide abortion procedure summaries and fetal depictions.

MCL 333.17015

Legislative Analyst: P. Affholter

## **FISCAL IMPACT**

The fiscal impact on the Department of Community Health should be nominal. First, the DCH no longer would be required to make available to local health departments the information that a patient is required to be given before undergoing an abortion. As a result, the DCH should incur a small saving in printing costs. However, these materials still would have to be made available to physicians through the Michigan Board of Medicine and the Michigan Board of Osteopathic Medicine and Surgery, or any other person upon request. Second, the DCH would incur the costs of developing and maintaining an Internet web site, or modifying the existing web site, in order to make available the information that a patient is required to receive before undergoing an abortion. This bill would allow patients to review the required information over the Department's Internet site instead of obtaining a physical copy. As a result, the DCH could incur further savings in printing costs if a significant number of patients chose this option.

Date Completed: 11-28-00

Fiscal Analyst: D. Patterson