



Senate Fiscal Agency  
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**BILL ANALYSIS**

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House Bill 4768 (Substitute S-1 as reported)  
Sponsor: Representative Doug Hart  
House Committee: Judiciary  
Senate Committee: Families and Human Services

**CONTENT**

The bill would amend the Paternity Act to provide for apportionment of the costs related to the confinement and pregnancy of a mother between both parents of a child born out of wedlock.

The Act provides that the father of a child born out of wedlock is liable to pay the expenses of the mother's confinement and the expenses connected with her pregnancy, as the court in its discretion may deem proper. The bill would delete that language. Under the bill, the court could apportion, in the same manner as the child's medical expenses were divided under the child support formula, the reasonable and necessary pregnancy and confinement expenses between the parents, based on each parent's ability to pay and any other relevant factor. The court could require the parent who did not pay the expenses to pay his or her share to the other parent. At the request of a person other than a parent who had paid the mother's expenses, the court could order a parent against whom the request was made to pay his or her share of the expenses to that other person.

The court could not apportion confinement and pregnancy expenses to the mother if Medicaid had paid them. After the bill's effective date, based on the father's ability to pay and any other relevant factor, the court could apportion up to 100% of the reasonable and necessary confinement and pregnancy costs to the father.

If a pregnancy or a pregnancy complication had been determined in another proceeding to have been the result of either a physical or sexual battery by a party to the case, the court would have to apportion the expenses to the party who was the perpetrator.

The bill would take effect on October 1, 2004.

MCL 722.712

Legislative Analyst: Julie Koval

**FISCAL IMPACT**

It appears that the bill would have no fiscal impact on State or local government. A mother's Medicaid eligibility is not determined by whether child support is being received; therefore, the bill would have no impact on Medicaid expenditures.

Date Completed: 5-20-04

Fiscal Analyst: Constance Cole