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**BILL ANALYSIS**

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House Bill 4446 (Substitute H-1 as passed by the House)
Sponsor: Representative David Robertson
House Committee: Health Policy
Senate Committee: Health Policy

Date Completed: 11-29-05

CONTENT

The bill would amend the Public Health Code to do the following:

- Require a physician or a qualified person assisting the physician to perform an ultrasound on a patient before obtaining her consent to an abortion, and give the patient an opportunity to view the ultrasound image.**
- Require the Department of Community Health (DCH) to make available on its website a list of health care providers that offered to perform free ultrasounds.**

The Code prohibits a physician from performing an otherwise legal abortion without the patient's informed written consent, given freely and without coercion. Before performing an abortion, the physician or a qualified person assisting the physician must obtain the patient's signature on an acknowledgement and consent form developed by the DCH confirming that the physician or qualified assistant has done the following at least 24 hours earlier:

- Confirmed the patient's pregnancy and determined the probable gestational age of the fetus.
- Orally described, in language designed to be understood by the patient, the probable gestational age of the fetus, and information about what to do and whom to contact should medical complications arise from the abortion.
- Given the patient a physical copy of a written summary of the procedure she will undergo.
- Given the patient a physical copy of a medically accurate depiction, illustration, or photograph and description of a fetus at the gestational age nearest the probable gestational age of the patient's fetus.
- Given the patient a physical copy of a prenatal care and parenting information pamphlet.

Under the bill, before obtaining the patient's signature, a physician or a qualified person assisting the physician would have to perform an ultrasound, give the patient an opportunity to view the active ultrasound image of the fetus, and offer to provide the patient with a physical picture of the image.

(Under the Code, "qualified person assisting the physician" means a licensed physician, physician's assistant, psychologist, counselor, social worker, or practical nurse, or a registered professional nurse.)

The Code requires the DCH to develop and maintain an internet website that allows a patient considering an abortion to review the written summary of the procedure, the medically accurate depiction of a fetus, and the prenatal care and parenting information pamphlet (which all must be supplied by the DCH). After the patient views the information, the DCH must assure that she can print a confirmation form from the website verifying the time and date the information was reviewed. The confirmation form is valid for 14 days after it is printed.

The bill would require the DCH to include on the website a list of health care providers, facilities, and clinics that offered to perform ultrasounds free of charge. The list would have to be organized geographically and would have to include the name, address, and telephone number of each provider, facility, and clinic.

MCL 333.17015

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would likely lead to a small, indeterminate increase in cost for State and local governments. Mandating that medical professionals perform an ultrasound before performing an abortion could lead to a slight increase in the cost of providing health benefits to employees of State and local governments. Although the State does not cover nonemergency abortion procedures through the Medicaid program, ultrasounds are covered by Medicaid and this requirement could create a mild increase in fee-for-service Medicaid cost. The Department of Community Health also could bear a small increase in administrative cost associated with compiling and maintaining a list of available ultrasound providers on its website.

Fiscal Analyst: David Fosdick

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.