

# SENATE BILL No. 1023

March 20, 2012, Introduced by Senators MEEKHOF, MARLEAU, BRANDENBURG, HANSEN, HILDENBRAND, SCHUITMAKER, PROOS, ROCCA, BOOHER, PAVLOV, RICHARDVILLE, KOWALL and JONES and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 16278.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 16278. (1) A HEALTH CARE PROFESSIONAL LICENSED OR  
2        REGISTERED UNDER THIS ARTICLE PROVIDING PRENATAL HEALTH CARE  
3        SERVICES TO A PATIENT WHO IS A PREGNANT WOMAN SHALL, WITHIN THE  
4        STANDARD OF CARE, INFORM THAT PATIENT, BETWEEN THE TWENTIETH AND  
5        TWENTY-EIGHTH WEEKS OF GESTATION, OF THE POTENTIAL RISK OF  
6        STILLBIRTH. THIS SECTION DOES NOT APPLY TO A HEALTH CARE  
7        PROFESSIONAL WHO PROVIDES NONPRENATAL, EMERGENCY, OR NONPRIMARY  
8        HEALTH CARE SERVICES TO A PATIENT WHO IS A PREGNANT WOMAN.

9        (2) HEALTHY BIRTH DAY OR FIRST CANDLE MAY MAKE WRITTEN

1 INFORMATION AVAILABLE REGARDING THE POTENTIAL RISK OF STILLBIRTH.  
2 IF IT MAKES WRITTEN INFORMATION AVAILABLE UNDER THIS SECTION AND IF  
3 RESOURCES ARE AVAILABLE TO DO SO, HEALTHY BIRTH DAY OR FIRST CANDLE  
4 MAY DO ALL OF THE FOLLOWING:

5 (A) INCLUDE PREVENTIVE MEASURES APPLICABLE TO THE RISK OF  
6 STILLBIRTH, INCLUDING AWARENESS OF DECREASED FETAL MOVEMENTS AND  
7 COUNTING FETAL KICKS TO REDUCE THAT RISK.

8 (B) ASSURE THAT THE INFORMATION IS WRITTEN IN EASILY  
9 UNDERSTOOD, NONTECHNICAL TERMS.

10 (C) UPON REQUEST, MAKE THE WRITTEN INFORMATION AVAILABLE FREE  
11 OF CHARGE TO THE MICHIGAN BOARD OF MEDICINE, THE MICHIGAN BOARD OF  
12 OSTEOPATHIC MEDICINE AND SURGERY, HEALTH PROFESSIONALS REQUIRED TO  
13 COMPLY WITH SUBSECTION (1), AND LOCAL HEALTH DEPARTMENTS.

14 (3) IF HEALTHY BIRTH DAY OR FIRST CANDLE MAKES WRITTEN  
15 INFORMATION AVAILABLE UNDER THIS SECTION, IT MAY MAKE AVAILABLE  
16 COPIES OF THE WRITTEN INFORMATION IN ENGLISH, SPANISH, AND OTHER  
17 LANGUAGES.

18 (4) THE DEPARTMENT MAY PROVIDE THE INFORMATION DESCRIBED IN  
19 SUBSECTION (2) OR OTHER INFORMATION REGARDING STILLBIRTH ON ITS  
20 WEBSITE.

21 (5) AS USED IN THIS SECTION, "STILLBIRTH" MEANS INTRAUTERINE  
22 FETAL DEATH.

23 (6) THIS SECTION MAY BE REFERRED TO AS "SKYLAR'S LAW".

24 Enacting section 1. This amendatory act takes effect July 1,  
25 2012.