

HOUSE BILL No. 5613

February 20, 2018, Introduced by Reps. Cambensy, Pagan, Geiss, Guerra, Greig, Moss, Clemente, Sowerby, Rabhi, Ellison, Sneller, Wittenberg, Hammoud, Yancey, Chang, Brinks, Faris, Lasinski, Hoadley, Santana and Love 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 part 98.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 98. EMERGENCY CONTRACEPTIVES

SEC. 9801. THIS PART SHALL BE KNOWN AND MAY BE CITED AS THE
"EMERGENCY CONTRACEPTIVE EDUCATION ACT".

SEC. 9803. (1) AS USED IN THIS PART:

(A) "EMERGENCY CONTRACEPTIVE" MEANS A DRUG THAT MEETS BOTH OF
THE FOLLOWING CRITERIA:

(i) IS USED AFTER SEXUAL RELATIONS.

(ii) PREVENTS PREGNANCY BY PREVENTING OVULATION, FERTILIZATION
OF AN EGG, OR IMPLANTATION OF AN EGG IN A UTERUS.

(B) "HEALTH CARE PROFESSIONAL" MEANS AN INDIVIDUAL WHO IS

1 LICENSED, REGISTERED, OR OTHERWISE AUTHORIZED TO ENGAGE IN A HEALTH
2 PROFESSION UNDER ARTICLE 15.

3 (C) "HEALTH FACILITY OR AGENCY" MEANS THAT TERM AS DEFINED IN
4 SECTION 20106.

5 (D) "INSTITUTION OF HIGHER EDUCATION" MEANS A DEGREE OR
6 CERTIFICATE GRANTING PUBLIC OR PRIVATE COLLEGE, UNIVERSITY, JUNIOR
7 COLLEGE, OR COMMUNITY COLLEGE.

8 (2) IN ADDITION, ARTICLE 1 CONTAINS GENERAL DEFINITIONS AND
9 PRINCIPLES OF CONSTRUCTION APPLICABLE TO ALL ARTICLES IN THIS CODE.

10 SEC. 9805. (1) SUBJECT TO SUBSECTION (3), THE DEPARTMENT SHALL
11 DEVELOP AND DISSEMINATE TO THE PUBLIC INFORMATION ON EMERGENCY
12 CONTRACEPTIVES.

13 (2) THE DEPARTMENT MAY DISSEMINATE INFORMATION DEVELOPED UNDER
14 SUBSECTION (1) DIRECTLY OR THROUGH ARRANGEMENTS WITH NONPROFIT
15 ORGANIZATIONS, CONSUMER GROUPS, INSTITUTIONS OF HIGHER EDUCATION,
16 FEDERAL, STATE, OR LOCAL AGENCIES, HEALTH FACILITIES OR AGENCIES,
17 AND THE MEDIA.

18 (3) THE DEPARTMENT SHALL INCLUDE IN THE INFORMATION
19 DISSEMINATED UNDER SUBSECTION (1), AT A MINIMUM, ALL OF THE
20 FOLLOWING:

21 (A) A DESCRIPTION OF EMERGENCY CONTRACEPTIVES.

22 (B) AN EXPLANATION OF THE USE, SAFETY, AND EFFICACY OF
23 EMERGENCY CONTRACEPTIVES.

24 (C) AN EXPLANATION OF WHERE EMERGENCY CONTRACEPTIVES ARE
25 AVAILABLE, INCLUDING A STATEMENT THAT SOME EMERGENCY CONTRACEPTIVES
26 MAY BE AVAILABLE FOR PURCHASE OVER THE COUNTER AT PHARMACIES.

27 SEC. 9807. (1) THE DEPARTMENT, IN CONSULTATION WITH MAJOR

1 MEDICAL AND PUBLIC HEALTH ORGANIZATIONS, SHALL DEVELOP AND
2 DISSEMINATE TO HEALTH CARE PROFESSIONALS AND HEALTH FACILITIES OR
3 AGENCIES INFORMATION ON EMERGENCY CONTRACEPTIVES.

4 (2) THE DEPARTMENT SHALL INCLUDE IN THE INFORMATION
5 DISSEMINATED UNDER SUBSECTION (1), AT A MINIMUM, ALL OF THE
6 FOLLOWING:

7 (A) INFORMATION DESCRIBING THE USE, SAFETY, AND EFFICACY OF
8 EMERGENCY CONTRACEPTIVES.

9 (B) AN EXPLANATION OF WHERE EMERGENCY CONTRACEPTIVES ARE
10 AVAILABLE, INCLUDING A STATEMENT THAT SOME EMERGENCY CONTRACEPTIVES
11 MAY BE AVAILABLE FOR PURCHASE OVER THE COUNTER AT PHARMACIES.

12 (C) A RECOMMENDATION REGARDING THE USE OF EMERGENCY
13 CONTRACEPTIVES IN SPECIFIC, APPROPRIATE CASES.

14 (D) INFORMATION EXPLAINING HOW TO OBTAIN ADDITIONAL COPIES OF
15 THE INFORMATION FOR DISTRIBUTION TO THE PATIENTS OF THE HEALTH CARE
16 PROFESSIONALS AND HEALTH FACILITIES OR AGENCIES.

17 Enacting section 1. This amendatory act takes effect 90 days
18 after the date it is enacted into law.