

Act No. 142
Public Acts of 2017
Approved by the Governor
October 29, 2017
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**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2017**

Introduced by Reps. Vaupel, Canfield, Noble, Lucido, Kahle, Lower, Graves, Hughes, Hernandez, Runestad, Webber, Elder, Theis, Marino, Allor and Leutheuser

ENROLLED HOUSE BILL No. 4311

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 2822 (MCL 333.2822), as amended by 2002 PA 691.

The People of the State of Michigan enact:

Sec. 2822. (1) The following individuals shall report a live birth that occurs in this state:

(a) If a live birth occurs in an institution or enroute to an institution, the individual in charge of the institution or his or her designated representative shall obtain the personal data, prepare the certificate of birth, secure the signatures required by the certificate of birth, and file the certificate of birth with the local registrar or as otherwise directed by the state registrar within 5 days after the birth. The physician or other individual in attendance shall provide the medical information required by the certificate of birth and certify to the facts of birth not later than 72 hours after the birth. If the physician or other individual does not certify to the facts of birth within 72 hours, the individual in charge of the institution or his or her authorized representative shall complete and certify the facts of birth.

(b) If a live birth occurs outside an institution, the record shall be prepared, certified, and filed with the local registrar by 1 of the following individuals in the following order of priority:

(i) The physician in attendance at or immediately after the live birth.

(ii) Any other individual in attendance at or immediately after the live birth.

(iii) The father; the mother; or, in the absence of the father and the inability of the mother, the individual in charge of the premises where the live birth occurs.

(c) If a newborn is surrendered under the safe delivery of newborns law, chapter XII of the probate code of 1939, 1939 PA 288, MCL 712.1 to 712.20, the live birth shall be reported in the same manner as provided in subdivision (a), except that the parents shall be listed as “unknown” and the newborn shall be listed as “Baby Doe”.

(d) If a live birth occurs during an attempted abortion and the mother of the newborn has expressed a desire not to assume custody and responsibility for the newborn by refusing to authorize necessary life-sustaining medical treatment, the live birth shall be reported as follows:


(i) If the attempted abortion took place in an institution, the live birth shall be reported in the same manner as provided in subdivision (a), except that the parents shall be listed as “unknown” and the newborn shall be listed as “Baby Doe”.

(ii) If the attempted abortion took place outside an institution, the live birth shall be reported in the same manner as provided in subdivision (b), except that the parents shall be listed as “unknown” and the newborn shall be listed as “Baby Doe”.

(2) As used in this section, “surrender” means that term as defined in section 1 of the safe delivery of newborns law, chapter XII of the probate code of 1939, 1939 PA 288, MCL 712.1.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor