

SENATE BILL NO. 464

May 20, 2021, Introduced by Senators HERTEL, BRINKS, MOSS, MCCANN, GEISS, CHANG, BULLOCK and IRWIN and referred to the Committee on Health Policy and Human Services.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 16221c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16221c. (1) Except as provided by law, this state or any
2 political subdivision of this state shall not do any of the
3 following:

4 (a) Require a health care professional to provide a patient
5 with any of the following:

6 (i) Information that is not medically accurate information and

1 appropriate for the patient.

2 (ii) A medical service in a manner that is not evidence-based
3 and appropriate for the patient.

4 (b) Prohibit a health care professional from providing a
5 patient with any of the following:

6 (i) Medically accurate information that is appropriate for the
7 patient.

8 (ii) A medical service that is evidence-based and appropriate
9 for the patient.

10 (2) Nothing in this section shall be construed to alter
11 existing professional standards of care or abrogate the duty of a
12 health care professional to meet an applicable standard of care.

13 (3) As used in this section:

14 (a) "Evidence-based" means a treatment approach that has been
15 proven effective through appropriate empirical analysis.

16 (b) "Health care professional" means a licensee or registrant.

17 (c) "Medically accurate information" means information that
18 meets 1 or more of the following standards:

19 (i) Is verified or supported by the weight of medical research
20 conducted in compliance with accepted scientific methods.

21 (ii) Is recognized as correct and objective by leading medical
22 organizations with relevant expertise.

23 (iii) Is recommended by or affirmed in the medical practice
24 guidelines of a nationally recognized accrediting organization.

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