

SENATE BILL No. 1198

As amended November 29, 2018

November 8, 2018, Introduced by Senator CASPERSON and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17017 (MCL 333.17017), as added by 2012 PA 499.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17017. ~~(1) This section and section 17517 do not apply~~
2 ~~after December 31, 2018.~~

3 (1) ~~(2)~~ Except as otherwise provided in this section, a
4 physician shall not diagnose <<A PREGNANCY OR THE GESTATIONAL AGE OF A
5 PREGNANCY >>and prescribe a medical abortion for <<@THE>>
6 patient who is or is presumed to be pregnant unless the physician
7 or an individual licensed and qualified by education and training
8 first personally performs a physical examination of the patient. A
9 physician shall not utilize other means including, but not limited
to, an internet web camera, to diagnose <<A PREGNANCY OR THE GESTATIONAL
AGE OF A PREGNANCY >>and prescribe a medical

1 abortion.

2 (2) ~~(3)~~—A physician shall obtain the informed consent of a
3 patient in the manner prescribed under section 17015 to perform a
4 medical abortion. The physician shall be physically present at the
5 location of the medical abortion when the prescription drug used to
6 initiate the medical abortion is dispensed. An individual under the
7 direct supervision of the prescribing physician who is qualified by
8 education and training as provided in this act may dispense or
9 administer the prescription drug used to initiate the medical
10 abortion.

11 (3) ~~(4)~~—This section does not create a right to abortion.
12 Notwithstanding any other provision of this section, a person shall
13 not perform an abortion that is prohibited by law.

14 (4) ~~(5)~~—As used in this section:

15 (a) "Abortion" means that term as defined in section 17015.

16 (b) "Medical abortion" means an abortion procedure that is not
17 a surgical procedure and that utilizes a prescription drug to
18 induce an abortion.

19 (c) "Prescription drug" means that term as defined in section
20 17708.