

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Senator Casperson

ENROLLED SENATE BILL No. 1198

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 17017 (MCL 333.17017), as added by 2012 PA 499.

The People of the State of Michigan enact:

Sec. 17017. (1) Except as otherwise provided in this section, a physician shall not diagnose a pregnancy or the gestational age of a pregnancy and prescribe a medical abortion for the patient who is or is presumed to be pregnant unless the physician or an individual licensed and qualified by education and training first personally performs a physical examination of the patient. A 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 abortion.

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

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

(4) As used in this section:

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

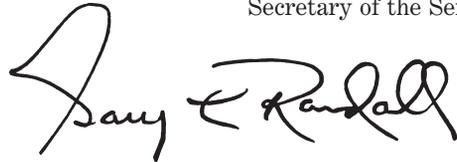
(b) "Medical abortion" means an abortion procedure that is not a surgical procedure and that utilizes a prescription drug to induce an abortion.

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

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor