

HOUSE BILL No. 6254

August 13, 2002, Introduced by Rep. Scranton and referred to the Committee on Family and Children Services.

A bill to require that crisis pregnancy organizations obtain informed consent from women served by those organizations; and to provide for penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. For purposes of this act:

2 (a) "Crisis pregnancy organization" means a nongovernmental
3 not-for-profit agency or organization that provides services and
4 counseling to women who have unplanned or unwanted pregnancies.

5 (b) "Medically accurate" means verified or supported by
6 research conducted in compliance with scientific methods and pub-
7 lished in peer-review journals, where appropriate, and recognized
8 as accurate and objective by professional organizations and agen-
9 cies with relevant expertise in the field, such as the American
10 society of obstetricians and gynecologists.

1 Sec. 2. Services shall not be provided to a pregnant woman
2 by any person who is employed by, a volunteer at, or in any
3 manner affiliated with a crisis pregnancy organization except
4 with the voluntary and informed consent of the pregnant woman.
5 Consent to the provision of services from a crisis pregnancy
6 organization is voluntary and informed only if all of the follow-
7 ing conditions are met, before any services are provided:

8 (a) A person employed by, a volunteer at, or in any manner
9 affiliated with the crisis pregnancy organization provides the
10 pregnant woman with the following information, orally and in
11 writing:

12 (i) A medically accurate and objective explanation of the
13 full range of options available to her regarding her pregnancy,
14 including abortion, parenting, and adoption.

15 (ii) Medically accurate and objective information on the
16 range of medical risks associated with abortion, pregnancy, and
17 childbirth.

18 (iii) That she has the right to obtain printed materials
19 listing medical clinics and hospitals that provide abortion
20 services.

21 (b) If the pregnant woman so requests, a person employed by,
22 a volunteer at, or in any manner affiliated with the crisis preg-
23 nancy organization provides her with geographically indexed,
24 printed materials that contain a comprehensive list of the medi-
25 cal clinics and hospitals that provide abortion services.

26 (c) The pregnant woman certifies in writing that the
27 information described in subdivision (a) has been provided to her

1 and that she has been informed of her right to review the printed
2 materials described in subdivision (b).

3 (d) A person employed by, a volunteer at, or in any manner
4 affiliated with the crisis pregnancy organization receives a copy
5 of the certification required in subdivision (c).

6 (e) The following notice is posted prominently at the crisis
7 pregnancy organization: "None of our services are provided by
8 licensed medical professionals. We do not provide information on
9 how to obtain an abortion, abortion services, or birth control
10 information."

11 (f) The crisis pregnancy organization distributes the prena-
12 tal care and parenting pamphlet prepared by the department of
13 community health under section 9161 of the public health code,
14 1978 PA 368, MCL 333.9161.

15 Sec. 3. A pregnant woman who receives services from a
16 person employed by, a volunteer at, or in any manner affiliated
17 with a crisis pregnancy organization who knowingly provided those
18 services in violation of this section may maintain an action
19 against the crisis pregnancy organization for actual and punitive
20 damages.