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BILL ANALYSIS



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Senate Bill 1283 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator Wayne Kuipers
Committee: Judiciary

CONTENT

The bill would amend the Public Health Code to revise the requirement that a physician or person assisting a physician give an abortion patient the opportunity to view an ultrasound image; and require the physician or assistant to use the "most technologically advanced ultrasound equipment available at the location". That term would mean ultrasound imaging equipment that is capable of providing the most visibly clear image of the fetus's gross anatomical development; and is present in the clinical area where counseling, preoperative procedures, and abortion are to be performed and that is under the supervision and discretion of the attending physician or person assisting the physician to use for diagnostic or operative purposes.

Under the Code, if a patient undergoes an ultrasound examination before an abortion is performed, or if a physician determines that ultrasound imaging will be used during an abortion, the physician or a qualified person assisting the physician must give the patient the opportunity to view or decline to view an active ultrasound image, and offer to give the patient a copy of the image.

Under the bill, in complying with these requirements, the physician or assistant would have to ensure that the most technologically advanced ultrasound equipment available at that location was used for the ultrasound exam, for the patient's viewing an active ultrasound image, and for creating the physical picture of the image. The bill also would require the physician or assistant to ensure that the quality of the ultrasound image was consistent with the current medical standard of care for prenatal diagnostic purposes given the patient's gestational stage of pregnancy and the equipment used.

In addition, the opportunity to view an ultrasound image and receive a picture of it would have to be given before any sedative or anesthetic medications were administered to the patient, and before she signed the acknowledgment and consent form required by the Code. That form would have to include the patient's acknowledgment that she was given the opportunity to view and receive an ultrasound image as required.

MCL 333.17015

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

Depending on the rate of reimbursement paid by insurers for ultrasounds, the requirement to use the most sophisticated available equipment could result in a minor increase in costs.

Date Completed: 9-28-10

Fiscal Analyst: Steve Angelotti

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Bill Analysis @ www.senate.michigan.gov/sfa

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