

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

***** 333.17017 THIS SECTION IS REPEALED BY ACT 209 OF 2023 EFFECTIVE FEBRUARY 13, 2024

333.17017 Physical examination required; certain other means prohibited; right to abortion not created; definitions.

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

(2) Except as otherwise provided in this section, a physician shall not diagnose and prescribe a medical abortion for a 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 and prescribe a medical abortion.

(3) 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.

(4) 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.

(5) 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.

History: Add. 2012, Act 499, Eff. Mar. 31, 2013.

Popular name: Act 368