

**SUBSTITUTE FOR
SENATE BILL NO. 346**

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 2922a (MCL 600.2922a), as added by 1998 PA
211.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2922a. (1) A person who commits a wrongful or negli-
2 gent act against a pregnant individual is liable for damages if
3 the act results in a miscarriage or stillbirth by that
4 individual, or physical injury to OR THE DEATH OF the embryo or
5 fetus.

6 (2) This section does not apply to any of the following:

7 (a) An act committed by the pregnant individual.

8 (b) A medical procedure performed by a physician or other
9 licensed ~~medical~~ HEALTH professional within the scope of his or
10 her practice and with the pregnant individual's consent or the

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1 consent of an individual who may lawfully provide consent on her
2 behalf or without consent as necessitated by a medical
3 emergency.

4 (c) The lawful dispensation, administration, or prescription
5 of medication.

6 (3) This section does not prohibit a civil action under any
7 other applicable law.

8 (4) As used in this section, "physician or other licensed
9 ~~medical~~ HEALTH professional" means a person licensed under
10 article 15 of the public health code, 1978 PA 368, MCL 333.16101
11 to 333.18838.