

HOUSE BILL No. 5825

April 28, 2004, Introduced by Rep. Hummel and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3407c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3407c. (1) An expense-incurred hospital, medical, or
2 surgical policy or certificate delivered, issued for delivery, or
3 renewed in this state and a health maintenance organization group
4 or individual contract shall not provide coverage for elective
5 abortions except by an optional rider for which an additional
6 premium has been paid by the purchaser.

7 (2) This section applies to policies, certificates, or
8 contracts delivered, issued for delivery, or renewed in this
9 state on or after January 1, 2004.

10 (3) As used in this section:

11 (a) "Elective abortion" means the intentional use of an

1 instrument, drug, or other substance or device to terminate a
2 woman's pregnancy for a purpose other than to increase the
3 probability of a live birth, to preserve the life or health of
4 the child after live birth, or to remove a dead fetus. Elective
5 abortion does not include either of the following:

6 (i) The prescription of or use of a drug or device intended
7 as a contraceptive.

8 (ii) The intentional use of an instrument, drug, or other
9 substance or device by a physician to terminate a woman's
10 pregnancy if the woman's physical condition, in the physician's
11 reasonable medical judgment, necessitates the termination of the
12 woman's pregnancy to avert her death.

13 (b) "Physician" means an individual licensed to engage in the
14 practice of allopathic medicine or the practice of osteopathic
15 medicine and surgery under article 15 of the public health code,
16 1978 PA 368, MCL 333.16101 to 333.18838.