

# SENATE BILL No. 1198

As amended November 29, 2018

November 8, 2018, Introduced by Senator CASPERSON and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 17017 (MCL 333.17017), as added by 2012 PA 499.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

3       **(1)** ~~(2)~~—Except as otherwise provided in this section, a  
4       physician shall not diagnose **<<A PREGNANCY OR THE GESTATIONAL AGE OF A**  
5       **PREGNANCY >>**and prescribe a medical abortion for **<<atHE>>**  
6       patient who is or is presumed to be pregnant unless the physician  
7       or an individual licensed and qualified by education and training  
8       first personally performs a physical examination of the patient. A  
9       physician shall not utilize other means including, but not limited  
to, an internet web camera, to diagnose **<<A PREGNANCY OR THE GESTATIONAL**  
**AGE OF A PREGNANCY >>**and prescribe a medical

1 abortion.

2           **(2)** ~~(3)~~—A physician shall obtain the informed consent of a  
3 patient in the manner prescribed under section 17015 to perform a  
4 medical abortion. The physician shall be physically present at the  
5 location of the medical abortion when the prescription drug used to  
6 initiate the medical abortion is dispensed. An individual under the  
7 direct supervision of the prescribing physician who is qualified by  
8 education and training as provided in this act may dispense or  
9 administer the prescription drug used to initiate the medical  
10 abortion.

11           **(3)** ~~(4)~~—This section does not create a right to abortion.  
12 Notwithstanding any other provision of this section, a person shall  
13 not perform an abortion that is prohibited by law.

14           **(4)** ~~(5)~~—As used in this section:

15           (a) "Abortion" means that term as defined in section 17015.

16           (b) "Medical abortion" means an abortion procedure that is not  
17 a surgical procedure and that utilizes a prescription drug to  
18 induce an abortion.

19           (c) "Prescription drug" means that term as defined in section  
20 17708.