



BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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MAY 23 1989

Mich. State Law Library

House Bill 4018 (Substitute S-1 as reported)
Sponsor: Representative Maxine Berman
House Committee: Public Health
Senate Committee: Health Policy

Date Completed: 4-20-89

RATIONALE

Public Act 195 of 1986 requires physicians to inform their patients who have been diagnosed as having breast cancer about the alternative treatments available; the procedures involved; and, the advantages, disadvantages, and risks involved with each method of treatment. The Act also includes "sunset" provisions that will result in the repeal of the Act on July 1, 1989. Some people believe that because the Act has helped women with breast cancer to make informed decisions about their treatment, and has encouraged other women to seek early detection and treatment, the sunset provisions should be removed so the Act's requirements would continue indefinitely.

CONTENT

The bill would amend the Public Health Code to delete the July 1, 1989, sunset on the requirement, as well as the sanctions for violating the requirement, that a physician administering primary treatment to a breast cancer patient inform the patient about all generally accepted medical treatments of the cancer, the procedures involved in the treatments, and the advantages, disadvantages, and risks of each method.

MCL 333.16221 et al.

SENATE COMMITTEE ACTION

The Health Policy Committee adopted a substitute to House Bill 4018 that would delete the July 1, 1989, sunset for violations and resulting sanctions for physicians who violated the Act's provisions, in addition to deleting the

sunset on the requirement that physicians provide breast cancer treatment information.

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

ARGUMENTS

Supporting Argument

The Act's requirements should remain in effect because the information made available as a result of the Act not only assists breast cancer patients in making informed decisions regarding their treatment, but also encourages women to seek early detection and treatment by informing them of all their options for treatment.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

H.B. 4018 (4-20-89)