

SUBSTITUTE FOR  
HOUSE BILL NO. 6091

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 16278.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 16278. (1) A HEALTH CARE PROFESSIONAL LICENSED OR  
2        REGISTERED UNDER THIS ARTICLE PROVIDING PRENATAL HEALTH CARE  
3        SERVICES TO A PATIENT WHO IS A PREGNANT WOMAN SHALL, WHERE  
4        MEDICALLY APPROPRIATE AND WITHIN THE STANDARD OF CARE, INFORM THAT  
5        PATIENT, BETWEEN THE TWENTIETH AND TWENTY-EIGHTH WEEKS OF  
6        GESTATION, OF THE POTENTIAL RISK OF STILLBIRTH. THIS SECTION DOES  
7        NOT APPLY TO A HEALTH CARE PROFESSIONAL WHO PROVIDES NONPRENATAL,  
8        EMERGENCY, OR NONPRIMARY HEALTH CARE SERVICES TO A PATIENT WHO IS A  
9        PREGNANT WOMAN.  
10       (2) HEALTHY BIRTH DAY OR FIRST CANDLE MAY MAKE WRITTEN

1 INFORMATION AVAILABLE REGARDING THE POTENTIAL RISK OF STILLBIRTH.  
2 IF IT MAKES WRITTEN INFORMATION AVAILABLE UNDER THIS SECTION,  
3 HEALTHY BIRTH DAY OR FIRST CANDLE SHALL DO ALL OF THE FOLLOWING:

4 (A) INCLUDE PREVENTIVE MEASURES APPLICABLE TO THE RISK OF  
5 STILLBIRTH, INCLUDING AWARENESS OF DECREASED FETAL MOVEMENTS AND  
6 COUNTING FETAL KICKS TO REDUCE THAT RISK.

7 (B) ASSURE THAT THE INFORMATION IS WRITTEN IN EASILY  
8 UNDERSTOOD, NONTECHNICAL TERMS.

9 (C) UPON REQUEST, MAKE THE WRITTEN INFORMATION AVAILABLE FREE  
10 OF CHARGE TO THE MICHIGAN BOARD OF MEDICINE, THE MICHIGAN BOARD OF  
11 OSTEOPATHIC MEDICINE AND SURGERY, HEALTH PROFESSIONALS REQUIRED TO  
12 COMPLY WITH SUBSECTION (1), AND LOCAL HEALTH DEPARTMENTS.

13 (3) IF HEALTHY BIRTH DAY OR FIRST CANDLE MAKES WRITTEN  
14 INFORMATION AVAILABLE UNDER THIS SECTION, IT MAY MAKE AVAILABLE  
15 COPIES OF THE WRITTEN INFORMATION IN ENGLISH, SPANISH, AND OTHER  
16 LANGUAGES.

17 (4) THE DEPARTMENT MAY PROVIDE THE INFORMATION DESCRIBED IN  
18 SUBSECTION (2) OR OTHER INFORMATION REGARDING STILLBIRTH ON ITS  
19 WEBSITE.

20 (5) AS USED IN THIS SECTION, "STILLBIRTH" MEANS INTRAUTERINE  
21 FETAL DEATH.

22 Enacting section 1. This amendatory act takes effect March 1,  
23 2011.