

SENATE BILL No. 1055

June 7, 2018, Introduced by Senators SCHUITMAKER, KOWALL, COLBECK, EMMONS, HUNE and SHIRKEY and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 9206a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9206A. (1) THE DEPARTMENT SHALL CREATE AND MAINTAIN A
2 LIST OF EACH IMMUNIZING AGENT DERIVED FROM ABORTED FETAL TISSUE. IF
3 AN IMMUNIZING AGENT THAT IS NOT AN IMMUNIZING AGENT DERIVED FROM
4 ABORTED FETAL TISSUE IS AVAILABLE AS AN ALTERNATIVE TO AN
5 IMMUNIZING AGENT DERIVED FROM ABORTED FETAL TISSUE, THE DEPARTMENT
6 SHALL INCLUDE THE ALTERNATIVE ON THE LIST. THE DEPARTMENT SHALL
7 UPDATE THE LIST ANNUALLY AND MAKE THE LIST AVAILABLE TO THE PUBLIC
8 ON THE DEPARTMENT'S WEBSITE.

9 (2) BEFORE ADMINISTERING AN IMMUNIZING AGENT DERIVED FROM
10 ABORTED FETAL TISSUE TO AN INDIVIDUAL, A HEALTH CARE PROVIDER SHALL

1 NOTIFY THE INDIVIDUAL OR, IF THE INDIVIDUAL IS A CHILD, THE PARENT,
2 GUARDIAN, OR PERSON IN LOCO PARENTIS OF THE CHILD, THAT THE
3 IMMUNIZING AGENT WAS DERIVED FROM ABORTED FETAL TISSUE. IF AN
4 IMMUNIZING AGENT THAT IS NOT AN IMMUNIZING AGENT DERIVED FROM
5 ABORTED FETAL TISSUE IS AVAILABLE AS AN ALTERNATIVE TO AN
6 IMMUNIZING AGENT DERIVED FROM ABORTED FETAL TISSUE, THE HEALTH CARE
7 PROVIDER SHALL OFFER THE ALTERNATIVE TO THE INDIVIDUAL OR, IF THE
8 INDIVIDUAL IS A CHILD, THE PARENT, GUARDIAN, OR PERSON IN LOCO
9 PARENTIS OF THE CHILD. A HEALTH CARE PROVIDER SHALL ALSO NOTIFY THE
10 INDIVIDUAL OR, IF THE INDIVIDUAL IS A CHILD, THE PARENT, GUARDIAN,
11 OR PERSON IN LOCO PARENTIS OF THE CHILD, OF THE OPTION TO DECLINE
12 THE RECEIPT OF THE IMMUNIZING AGENT.

13 (3) AS USED IN THIS SECTION:

14 (A) "HEALTH CARE PROVIDER" MEANS THAT TERM AS DEFINED IN
15 SECTION 9206.

16 (B) "IMMUNIZING AGENT DERIVED FROM ABORTED FETAL TISSUE" MEANS
17 AN IMMUNIZING AGENT THAT IS MANUFACTURED USING A HUMAN FETAL OR
18 EMBRYONIC CELL LINE, PROTEIN, DEOXYRIBONUCLEIC ACID, RECOMBINANT
19 DEOXYRIBONUCLEIC ACID, MONOCLONAL ANTIBODY, OR ANY OTHER COMPONENT
20 DERIVED FROM AN ELECTIVE ABORTION OR USING A CELL LINE DERIVED FROM
21 THE TISSUE OF A FETUS THAT WAS ELECTIVELY ABORTED.

22 Enacting section 1. This amendatory act takes effect 90 days
23 after the date it is enacted into law.