

# HOUSE BILL NO. 4105

February 15, 2023, Introduced by Reps. Rigas, Johnsen, DeBoer, Tisdell, Fink and Alexander and referred to the Committee on Health Policy.

A bill to describe certain policies and procedures for determining whether an abortion is medically indicated to protect the life or physical or mental health of a pregnant individual under section 28 of article I of the state constitution of 1963.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. All of the following apply for the purpose of  
2 determining whether an abortion is medically indicated to protect  
3 the life or physical or mental health of a pregnant individual  
4 under section 28 of article I of the state constitution of 1963:

5           (a) The attending health care professional making the  
6 determination that the abortion is medically indicated to protect

1 the life or physical or mental health of the pregnant individual  
2 must not be the attending health care professional who performs the  
3 abortion on the pregnant individual.

4 (b) The attending health care professional making the  
5 determination that the abortion is medically indicated to protect  
6 the physical health of the pregnant individual and the attending  
7 health care professional performing the abortion shall not assume  
8 or conclude that an abortion is always safer for a pregnant  
9 individual than giving birth to a fetus.

10 (c) An abortion is medically indicated to protect the mental  
11 health of the pregnant individual if the pregnant individual was  
12 diagnosed with a serious mental condition before the pregnant  
13 individual's pregnancy. As used in this subdivision, "serious  
14 mental condition" means 1 or more of the following:

- 15 (i) A neurodevelopmental disorder.
- 16 (ii) Schizophrenia or another psychotic disorder.
- 17 (iii) Bipolar disorder.
- 18 (iv) A depressive disorder.
- 19 (v) A trauma disorder.
- 20 (vi) An anxiety disorder.
- 21 (vii) Obsessive-compulsive disorder.
- 22 (viii) A stress disorder.
- 23 (ix) A dissociative disorder.
- 24 (x) A neurocognitive disorder.
- 25 (xi) A personality disorder.