

# SENATE BILL NO. 819

April 10, 2024, Introduced by Senators GEISS, SANTANA, ANTHONY, CHANG, CAVANAGH, WOJNO, SHINK, MOSS, BAYER and CAMILLERI and referred to the Committee on Housing and Human Services.

A bill to create the biased and unjust care reporting act; and to provide for the powers and duties of certain state governmental officers and entities.

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

1           Sec. 1. This act may be cited as the "biased and unjust care  
2 reporting act".

3           Sec. 3. As used in this act:

4           (a) "Department" means the department of civil rights.

5           (b) "Health facility or agency" means that term as defined in

1 section 20106 of the public health code, 1978 PA 368, MCL  
2 333.20106.

3 (c) "Health professional" means an individual who is licensed  
4 or otherwise authorized to engage in a health profession under  
5 article 15 of the public health code, 1978 PA 368, MCL 333.16101 to  
6 333.18838.

7 (d) "Obstetric racism" means that a health facility or agency,  
8 health professional, or other person that provides care to a  
9 patient during the perinatal period is influenced by the patient's  
10 race in making treatment or diagnostic decisions, and that decision  
11 places the patient's health and well-being at risk.

12 (e) "Obstetric violence" means physical, sexual, emotional, or  
13 verbal abuse; bullying; coercion; humiliation; or assault,  
14 perpetrated by a health care professional on an individual who is  
15 laboring and birthing a child.

16 Sec. 5. (1) Utilizing the patient-reported experience measure  
17 of obstetric racism scale, or a tool with equivalent validation,  
18 the department shall receive reports, in a form and manner required  
19 by the department, from individuals who are pregnant or in the  
20 postpartum period and who receive gynecological or perinatal care  
21 that does not meet 1 or more of the following:

22 (a) Is provided in a manner that is culturally congruent,  
23 unbiased, and just.

24 (b) Maintains dignity, privacy, and confidentiality.

25 (c) Prevents harm or mistreatment.

26 (d) Meets requirements for informed consent.

27 (2) The department shall utilize patient self-reporting tools  
28 described under subsection (1) and other methods to identify  
29 incidences of obstetric violence and obstetric racism.

1           (3) The department shall provide a report on the incidence and  
2 prevalence of obstetric violence and obstetric racism to the  
3 governor, the standing committees in the senate and house of  
4 representatives with jurisdiction over issues pertaining to public  
5 health, the director of the department of health and human  
6 services, and the director of the department of licensing and  
7 regulatory affairs.

8           Enacting section 1. This act does not take effect unless  
9 Senate Bill No.\_\_\_\_ or House Bill No.\_\_\_\_ (request no. 00315'23 \*)  
10 of the 102nd Legislature is enacted into law.