



HOUSE BILL No. 4369

February 25, 1993, Introduced by Reps. Ciaramitaro, Griffin and Sikkema and referred to the Committee on Judiciary.

A bill to amend Act No. 328 of the Public Acts of 1931, entitled as amended "The Michigan penal code," as amended, being sections 750.1 to 750.568 of the Michigan Compiled Laws, by adding section 329a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 328 of the Public Acts of 1931, as
2 amended, being sections 750.1 to 750.568 of the Michigan Compiled
3 Laws, is amended by adding section 329a to read as follows:

4 SEC. 329A. (1) A PERSON WHO HAS KNOWLEDGE THAT ANOTHER
5 PERSON INTENDS TO COMMIT OR ATTEMPT TO COMMIT SUICIDE AND WHO
6 INTENTIONALLY DOES EITHER OF THE FOLLOWING IS GUILTY OF CRIMINAL
7 ASSISTANCE TO SUICIDE, A FELONY PUNISHABLE BY IMPRISONMENT FOR
8 NOT MORE THAN 4 YEARS OR BY A FINE OF NOT MORE THAN \$2,000.00, OR
9 BOTH:

1 (A) PROVIDES THE PHYSICAL MEANS BY WHICH THE OTHER PERSON
2 ATTEMPTS OR COMMITS SUICIDE.

3 (B) PARTICIPATES IN A PHYSICAL ACT BY WHICH THE OTHER PERSON
4 ATTEMPTS OR COMMITS SUICIDE.

5 (2) SUBSECTION (1) SHALL NEITHER BE APPLICABLE TO NOR BE
6 DEEMED TO AFFECT ANY OTHER LAWS THAT MAY BE APPLICABLE TO WITH-
7 HOLDING OR WITHDRAWING MEDICAL TREATMENT.

8 (3) A LICENSED HEALTH CARE PROFESSIONAL WHO PRESCRIBES, DIS-
9 PENSES, OR ADMINISTERS, OR A PERSON UNDER THE SUPERVISION OF A
10 LICENSED HEALTH CARE PROFESSIONAL OR UNDER THE DIRECTION OF A
11 LICENSED HOSPICE WHO ADMINISTERS, MEDICATIONS OR PROCEDURES TO
12 RELIEVE A PERSON'S PAIN OR DISCOMFORT, EVEN IF THE MEDICATION OR
13 PROCEDURE MAY HASTEN OR INCREASE THE RISK OF DEATH, IS NOT GUILTY
14 OF ASSISTANCE TO SUICIDE UNDER THIS SECTION UNLESS THE MEDICA-
15 TIONS OR PROCEDURES ARE PRESCRIBED, DISPENSED, OR ADMINISTERED
16 WITH THE SPECIFIC INTENT OF CAUSING DEATH.

17 (4) AS USED IN THIS SECTION:

18 (A) "LICENSED HEALTH CARE PROFESSIONAL" MEANS ANY OF THE
19 FOLLOWING:

20 (i) A PHYSICIAN OR PHYSICIAN'S ASSISTANT LICENSED OR AUTHO-
21 RIZED TO PRACTICE UNDER PART 170 OR 175 OF THE PUBLIC HEALTH
22 CODE, ACT NO. 368 OF THE PUBLIC ACTS OF 1978, BEING SECTIONS
23 333.17001 TO 333.17088 AND 333.17501 TO 333.17556 OF THE MICHIGAN
24 COMPILED LAWS.

25 (ii) A REGISTERED NURSE OR LICENSED PRACTICAL NURSE LICENSED
26 OR AUTHORIZED TO PRACTICE UNDER PART 172 OF ACT NO. 368 OF THE

1 PUBLIC ACTS OF 1978, BEING SECTIONS 333.17201 TO 333.17242 OF THE
2 MICHIGAN COMPILED LAWS.

3 (iii) A PHARMACIST LICENSED OR AUTHORIZED TO PRACTICE UNDER
4 PART 177 OF ACT NO. 368 OF THE PUBLIC ACTS OF 1978, BEING SEC-
5 TIONS 333.17701 TO 333.17770 OF THE MICHIGAN COMPILED LAWS.

6 (B) "LICENSED HOSPICE" MEANS A HOSPICE LICENSED UNDER PART
7 214 OF ACT NO. 368 OF THE PUBLIC ACTS OF 1978, BEING SECTIONS
8 333.21401 TO 333.21420 OF THE MICHIGAN COMPILED LAWS.