

HOUSE BILL No. 5697

May 25, 2016, Introduced by Reps. Driskell, Sarah Roberts, Hovey-Wright, Pagan, Irwin, Wittenberg, Schor, Faris, Moss, Guerra, Durhal, Singh, Chang, Garrett, Hoadley, Plawecki, Greig, Cochran, Byrd, Liberati, Chirkun, Greimel, Rutledge, Yanez and Gay-Dagnogo and referred to the Committee on Insurance.

A bill to amend 2013 PA 182, entitled
"Abortion Insurance Opt-Out Act,"
by amending section 11 (MCL 550.551).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11. As used in this act:

2 (a) "Elective abortion" means the intentional use of an
3 instrument, drug, or other substance or device to terminate a
4 woman's pregnancy for a purpose other than to increase the
5 probability of a live birth, to preserve the life or health of the
6 child after live birth, or to remove a fetus that has died as a
7 result of natural causes, accidental trauma, or a criminal assault
8 on the pregnant woman. Elective abortion does not include any of
9 the following:

10 (i) The use or prescription of a drug or device intended as a
11 contraceptive.

1 (ii) The intentional use of an instrument, drug, or other
2 substance or device by a physician to terminate a woman's pregnancy
3 if the woman's physical condition, in the physician's reasonable
4 medical judgment, necessitates the termination of the woman's
5 pregnancy to avert her death **OR IF THE PREGNANCY IS THE RESULT OF**
6 **RAPE OR INCEST.**

7 (iii) Treatment upon a pregnant woman who is experiencing a
8 miscarriage or has been diagnosed with an ectopic pregnancy.

9 (b) "Department" means the Michigan Department of Licensing
10 and Regulatory Affairs or its successor.

11 (c) "Health care corporation" means ~~a nonprofit health care~~
12 ~~corporation~~ **THAT TERM** as defined in section 105 of the nonprofit
13 health **CARE** corporation reform act, 1980 PA 350, MCL 550.1105.

14 (d) "Health facility or agency" means that term as defined in
15 section 20106 of the public health code, 1978 PA 368, MCL
16 333.20106.

17 (e) "Physician" means an individual licensed or otherwise
18 authorized to engage in the practice of medicine or the practice of
19 osteopathic medicine and surgery under article 15 of the public
20 health code, 1978 PA 368, MCL 333.16101 to 333.18838.

21 (f) "Qualified health plan" means that term as defined in
22 ~~section 1301 of the Patient Protection and Affordable Care Act,~~
23 ~~Public Law 111-148.~~ **42 USC 18021.**