

From the UMHS ObGyn Program in Sexual Rights and Reproductive Justice



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Religious Liberty and Conscious Protection Act

A bill that would have allowed providers and medical insurers to refuse any service or payment based on a moral objection, religious belief, or matter of conscience did not pass the House during the lame duck session.

Proposed State Legislation in Michigan

HB 5711 Omnibus Bill Becomes Law

House Bill 5711, Michigan's anti-abortion omnibus bill, became law on December 28, 2012.

The bill, first introduced by Representative Bruce Rendon on May 31, 2012, passed the House a mere 13 days later. It remained dormant until the December Lame Duck session, when the Michigan Senate passed the bill with significant changes from the original (27-10 vote). After the House agreed to the changes, Governor Snyder signed HB 5711 into law. The bill will take effect on March 31, 2013.

In a letter to his constituents, Governor Snyder stated that, in its initial form, HB 5711 "would have significantly impacted women's rights. Now, though, the bill preserves women's rights while also enacting measures to help ensure their health and safety." The final bill requires:

- Screening for coercion prior to any abortion
- Disposition of fetal remains post 10 weeks gestation by burial, cremation, or incineration, adding costs to any procedure
- Any facility that performs over 120 procedures a year and advertises to be licensed as an ambulatory surgical facility
- Prohibition of telemedicine for medical abortions

Several Senators who opposed the bill criticized it for creating barriers for women and abortion providers instead of ensuring safety. As passed, the bill is really about discouraging abortion, not about enhancing safety.

For more information on HB 5711, visit: www.legislature.mi.gov

Physician Liability in Senate Bills 402 & 403

Senate Bills 402 and 403 also passed during the lame duck session. If a physician reports an impaired driver to the Secretary of State, the bills shield the physician from liability. Not only do the companion bills put physicians in a bind by encouraging breaches of doctor-patient confidentiality, but may also lead to legislative attempts to actually force—not just encourage—disclosures.

Senate Bills 1293 & 1294 Vetoed by Governor

While signing HB 5711, Governor Snyder vetoed Senate Bills 1293 and 1294. The bills were originally about the modernization of Blue Cross Blue Shield; however, the veto responded to a last minute language change requiring insurance companies to provide abortion coverage exclusively as a separate rider. The rationale behind the language was that insurance companies would avoid the trouble and expense of providing a rider, thereby making insurance coverage for abortions unavailable. Governor Snyder was upset that the language was added while the legislature was in lockdown because it was provided no opportunity for debate.