

Important Changes to the Abortion Law Regarding Ultrasounds

Public Act 77 of 2006, which was effective March 24, 2006, amended the Public Health Code by adding an ultrasound viewing option prior to an abortion being performed or during the course of an abortion if a physician determines that ultrasound imaging will be used. In addition, the Department of Community Health is mandated to provide on its website a list of health care providers, facilities and clinics that offer to perform ultrasounds free of charge.

Specifically, Section 17015(8) of PA 77 requires physicians to offer their patients an opportunity to view, or decline to view, an active ultrasound image of their fetus at any time prior to the abortion procedure or during the course of the abortion if ultrasound imaging is used. In addition, physicians are required to offer their patients a physical picture of the ultrasound image that the patient may retain.

This amendment to the Public Health Code also applies to any ***qualified person assisting the physician*** who is performing an abortion. Qualified person assisting the physician is defined as “another physician or a physician’s assistant licensed under this part or part 175, a fully licensed or limited licensed psychologist licensed under part 182, a professional counselor licensed under part 181, a registered professional nurse or a licensed practical nurse licensed under part 172, or a social worker licensed under part 185.”

Section 17015(11)(h) of PA 77 also mandates that a list of health care providers, facilities and clinics that offer to perform ultrasounds free of charge must be available on the Department of Community Health’s Informed Consent for Abortion Law website. This comprehensive list, arranged geographically, will provide the name, address, telephone number, hours of operation and responsible clinical personnel for each health care provider, facility and clinic. To access this list, go to www.michigan.gov/documents/mdch/ultrasound_196523_7.pdf.

Questions pertaining to the ultrasound viewing option may be directed to the Bureau of Health Professions at (517) 335-0918 or by email at bhpinfo@michigan.gov. Questions pertaining to the Department’s website for those health care providers, facilities and clinics that perform ultrasounds free of charge may be directed to the Office of Legislative and Statutory Compliance at (517) 373-6440.