

HOUSE BILL No. 6070

November 29, 2012, Introduced by Rep. McMillin and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding part 204.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 204

2 SEC. 20401. AS USED IN THIS PART:

3 (A) "FUTILITY POLICY" MEANS ANY WRITTEN POLICY THAT ENCOURAGES
4 OR ALLOWS A HEALTH FACILITY OR AGENCY EMPLOYEE, OR OTHER MEDICAL
5 PROFESSIONAL WHO PROVIDES CARE TO PATIENTS AT A HEALTH FACILITY OR
6 AGENCY, TO WITHHOLD OR DISCONTINUE TREATMENT FOR A PATIENT ON THE
7 GROUNDS OF MEDICAL FUTILITY.

8 (B) "MEDICAL FUTILITY" MEANS A JUDGMENT THAT FURTHER MEDICAL
9 TREATMENT OF A PATIENT WOULD HAVE NO USEFUL RESULT.

1 SEC. 20403. A HEALTH FACILITY OR AGENCY THAT ADOPTS OR
2 IMPLEMENTS A FUTILITY POLICY THAT APPLIES TO THE TREATMENT OF A
3 CHILD FROM BIRTH TO 18 YEARS OF AGE MUST DISCLOSE THAT FUTILITY
4 POLICY TO THE CHILD'S PARENT OR GUARDIAN WHEN THE HEALTH FACILITY
5 OR AGENCY IDENTIFIES THE NEED FOR A FORMAL PROCESS TO ADDRESS
6 CONCERNS OVER THE PROPOSED TREATMENT OF A CHILD. THE HEALTH
7 FACILITY OR AGENCY MUST, UPON REQUEST OF THE PARENT OR GUARDIAN OF
8 A PATIENT OR PROSPECTIVE PATIENT, PROVIDE A COPY OF THE FUTILITY
9 POLICY IN PLACE AT THE HEALTH FACILITY OR AGENCY AT THE TIME THE
10 REQUEST IS MADE.