

HOUSE BILL NO. 5201

November 04, 2025, Introduced by Reps. Paquette, Kelly, Markkanen, Smit, Wortz, Alexander, Pavlov, Bierlein, Beson, Schriver, DeSana, Borton, BeGole, Bollin, Outman, Johnsen, Prestin, Rigas, Fox, Meerman, Cavitt and Maddock and referred to Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 2835.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 2835. (1) A health care professional who performs an
2 abortion shall report the performance of the abortion to the
3 department on forms prescribed and provided by the department. A
4 health care professional shall transmit a report required under
5 this subsection to the director within 7 days after the performance
6 of the abortion.
7 (2) Each report of an abortion required under subsection (1)

1 must contain only the following information and no other
2 information:

3 (a) The age of the individual at the time of the abortion.

4 (b) The marital status of the individual at the time of the
5 abortion.

6 (c) The race and, if applicable, Hispanic ethnicity of the
7 individual.

8 (d) The city or township, county, and state in which the
9 individual resided at the time of the abortion.

10 (e) The name and address of the facility and the type of
11 facility in which the abortion was performed.

12 (f) The number of previous pregnancies carried to term.

13 (g) The number of previous pregnancies terminated by abortion.

14 (h) The period of gestation of the present pregnancy, measured
15 by weeks.

16 (i) The method used to perform the abortion.

17 (j) Whether the fetus showed evidence of life when separated,
18 expelled, or removed from the individual.

19 (k) The date of performance of the abortion.

20 (l) The method and source of payment for the abortion.

21 (m) The medical specialty of the health care professional
22 performing the abortion.

23 (n) Whether the abortion was prescribed through telemedicine.

24 (o) Whether the abortion was performed due to a medical
25 emergency.

26 (p) If the patient is a minor, whether the abortion was
27 performed pursuant to a waiver granted under section 4 of the
28 parental rights restoration act, 1990 PA 211, MCL 722.904.

29 (q) A physical complication or death resulting from the

1 abortion and observed by the health care professional or reported
2 to the health care professional or the health care professional's
3 agent before the report required under subsection (1) is
4 transmitted to the director.

5 (r) Any of the following reasons for obtaining the abortion:

6 (i) The present pregnancy was the result of a rape.

7 (ii) The present pregnancy was the result of incest.

8 (iii) Economic reasons.

9 (iv) A child is not wanted at this time.

10 (v) Mental or emotional health is at risk.

11 (vi) Physical health is at risk.

12 (vii) Relationship problems.

13 (viii) The present pregnancy involved a diagnosis of 1 or more
14 fetal anomalies.

15 (ix) Family size is complete.

16 (s) The signature and state license number of the health care
17 professional.

18 (3) The report required under subsection (1) must not contain
19 the name of the individual, common identifiers such as her Social
20 Security number or motor vehicle operator's license number, or
21 other information or identifiers that would make it possible to
22 identify in any manner or under any circumstances an individual who
23 has obtained or seeks to obtain an abortion. A state agency must
24 not compare data in an electronic or other information system file
25 with data in another electronic or other information system that
26 would result in identifying in any manner or under any
27 circumstances an individual obtaining or seeking to obtain an
28 abortion. Statistical information that may reveal the identity of
29 an individual obtaining or seeking to obtain an abortion must not

1 be maintained.

2 (4) The department shall destroy each individual report
3 required by this section and each copy of the report after
4 retaining the report for 5 years after the date the report is
5 received.

6 (5) The department shall make available annually in aggregate
7 a statistical report summarizing the information submitted in each
8 individual report required by this section. The department shall
9 specifically summarize aggregate data regarding all of the
10 following in the annual statistical report:

11 (a) The period of gestation in 4-week intervals from 5 weeks
12 through 28 weeks.

13 (b) Abortions performed on individuals aged 17 and under.

14 (c) Physical complications reported under subsection (2)(q)
15 and section 2837.

16 (6) The reports required under this section are statistical
17 reports to be used only for medical and health purposes and must
18 not be incorporated into the permanent official records of the
19 system of vital statistics.

20 (7) Except as otherwise provided in subsection (9), the
21 department or an employee of the department shall not disclose to a
22 person outside the department the reports or the contents of the
23 reports required by this section in a manner or fashion so as to
24 permit the person to whom the report is disclosed to identify in
25 any way the individual who is the subject of the report, the
26 identity of the health care professional who performed the
27 abortion, or the name or address of a facility in which an abortion
28 was performed.

29 (8) A person who discloses confidential identifying

1 information in violation of this section or section 2837 is guilty
2 of a felony punishable by imprisonment for not more than 3 years or
3 a fine of not more than \$5,000.00, or both.

4 (9) The department may release the reports or the contents of
5 the reports required by this section to the department of licensing
6 and regulatory affairs for regulatory purposes only. The department
7 of licensing and regulatory affairs or an employee of the
8 department of licensing and regulatory affairs shall not disclose
9 to a person or entity outside of the department of licensing and
10 regulatory affairs the reports or the contents of the reports
11 required by this section in a manner or fashion so as to permit the
12 person or entity to whom the report is disclosed to identify in any
13 way the individual who is the subject of the report, the identity
14 of the health care professional who performed the abortion, or the
15 name or address of a facility in which an abortion was performed.

16 (10) As used in this section and section 2837, "physical
17 complication" means a physical condition occurring during or after
18 an abortion that, under generally accepted standards of medical
19 practice, requires medical attention. Physical complication
20 includes, but is not limited to, infection, hemorrhage, cervical
21 laceration, perforation of the uterus, a seizure, shock, a retained
22 product of conception, or loss of consciousness.

23 Enacting section 1. This amendatory act does not take effect
24 unless Senate Bill No. ____ (request no. S02115'25) or House Bill
25 No. 5202 (request no. H02115'25) of the 103rd Legislature is
26 enacted into law.