

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.2922a Wrongful or negligent act resulting in miscarriage, stillbirth, or physical injury; liability; exceptions; “physician or other licensed health professional” defined.

Sec. 2922a.

(1) A person who commits a wrongful or negligent act against a pregnant individual is liable for damages if the act results in a miscarriage or stillbirth by that individual, or physical injury to or the death of the embryo or fetus.

(2) This section does not apply to any of the following:

(a) An act committed by the pregnant individual.

(b) A medical procedure performed by a physician or other licensed health professional within the scope of his or her practice and with the pregnant individual's consent or the consent of an individual who may lawfully provide consent on her behalf or without consent as necessitated by a medical emergency.

(c) The lawful dispensation, administration, or prescription of medication.

(3) This section does not prohibit a civil action under any other applicable law.

(4) As used in this section, "physician or other licensed health professional" means a person licensed under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

History: Add. 1998, Act 211, Eff. Jan. 1, 1999 ;-- Am. 2002, Act 164, Imd. Eff. Apr. 11, 2002

Compiler's Notes: Enacting section 1 of Act 164 of 2002 provides: "Enacting section 1. This amendatory act applies to a cause of action arising on or after May 1, 2002."