

HOUSE BILL No. 5977

June 30, 1998, Introduced by Reps. Crissman, Gilmer, Wallace, Brackenridge, Dobb, Hammerstrom, Scranton, Bodem, Martinez, Godchaux, Middleton, Johnson, Dalman, Cherry, Llewellyn, Gubow, Freeman, Rocca, Law, Horton, Schauer, Brater, Jelinek, Galloway, Agee, Schroer, Gire, Goschka, Cropsey, Leland, Murphy, Bobier, Lowe, Nye, Kaza, DeVuyst, Jellema, Quarles, Griffin, Middaugh, McManus, Whyman, Voorhees, Kukuk, Cassis, Raczkowski, Birkholz, LeTarte, Byl, Perricone, Geiger, Curtis, Dobronski, Baird, McBryde, Alley and Gustafson and referred to the Committee on Judiciary.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 5653 (MCL 333.5653), as added by 1996
PA 594.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5653. (1) As used in this part:
2 (a) "Health facility" means a health facility or agency
3 licensed under article 17.
4 (b) "Medical treatment" means a treatment including, but not
5 limited to, palliative care treatment, or a procedure, medica-
6 tion, surgery, diagnostic test, or hospice plan of care that may
7 be ordered, provided, or withheld or withdrawn by a health pro-
8 fessional or a health facility under generally accepted standards
9 of medical practice and that is not prohibited by law. As used
10 in this part, "hospice" means ~~hospice~~ THAT TERM as defined in

1 section 20106. ~~of the public health code, Act No. 368 of the~~
2 ~~Public Acts of 1978, being section 333.20106 of the Michigan~~
3 ~~Compiled Laws.~~

4 (c) "Patient" means an individual who is under the care of a
5 physician.

6 (d) "Patient advocate" means ~~that term as defined in~~ AN
7 INDIVIDUAL WHO IS NAMED IN A DESIGNATION MADE UNDER section 496
8 of the revised probate code, ~~Act No. 642 of the Public Acts of~~
9 ~~1978, being section 700.496 of the Michigan Compiled Laws~~ 1978
10 PA 642, MCL 700.496.

11 (e) "Patient ~~Surrogate~~ SURROGATE" means 1 OF the
12 FOLLOWING:

13 (i) THE parent or legal guardian of a patient who is a
14 minor. ~~or a~~

15 (ii) A member of the immediate family, the next of kin, or
16 the legal guardian of a patient who has a condition, other than
17 minority, that prevents the patient from giving consent to medi-
18 cal treatment.

19 (f) "Physician" means that term as defined in section 17001
20 or 17501.

21 (g) "Terminal illness" means a disease or condition ~~due to~~
22 ~~which, in the opinion of a physician, a patient's death is antic-~~
23 ~~ipated within 6 months after the date of the physician's opinion~~
24 WITH A TERMINAL PROGNOSIS BASED UPON THE OPINION OF THE TREATING
25 PHYSICIAN.

26 (2) Article 1 contains general definitions and principles of
27 construction applicable to all articles in this code.