

Restricting Abortion: Michigan¹

In far too many places throughout this country, it has become extremely difficult for women to safely and legally end a pregnancy. In too many states, politicians have enacted laws that single out the provision of abortion services for restrictions that are more burdensome than those imposed on medically comparable procedures, do not significantly advance women's health or the safety of abortion services, and make abortion services more difficult to access. It's time for politicians to stop interfering with women's personal decision-making. We need a federal law that puts women's health, safety, and rights first. The Women's Health Protection Act does just that.

In Michigan, the following restrictions are among those that would be unlawful under the Women's Health Protection Act once enacted:

- **BAN** on the use of telemedicine to provide medication abortion, reducing the potential for access to safe, nonsurgical abortion services and eliminating an important way to expand access to many low-income women and rural women.²
- **REQUIREMENT** that most clinics meet the same strict structural and other regulatory standards as freestanding outpatient surgical facilities, essentially becoming "small hospitals," despite those standards being completely unrelated to ensuring patient safety.³
- **REQUIREMENT** that clinics have a transfer agreement with a hospital no more than 30 minutes away, burdening facilities with a requirement that is not necessary to ensure patient safety.⁴
- **REQUIREMENT** that if an ultrasound is performed prior to an abortion, the provider must offer the woman the opportunity to see the image, whether or not the provider believes it is appropriate.⁵
- **BAN** on abortions after viability without constitutionally adequate exceptions for the woman's life or health.⁶

"I'm flattered that you're all so concerned about my vagina, but no means no."

- State Rep. Lisa Brown (D-West Bloomfield), arguing in defense of Michigan women during floor debate over HB 5711 in 2012

(Endnotes)

¹ The restrictions highlighted herein are examples of the types of restrictions that the [Women's Health Protection Act](#) seeks to invalidate. This fact sheet is not intended as a comprehensive guide to abortion restrictions in Michigan.

² MICH. COMP. LAWS § 333.17017(2).

³ MICH. COMP. LAWS § 333.20115(2) (requiring clinics where 120 or more abortions are performed per year be licensed as freestanding surgical outpatient facility); see *generally* MICH. ADMIN. CODE r. 325.3801 *et seq.*

⁴ MICH. ADMIN. CODE R. 325.3832.

⁵ MICH. COMP. LAWS § 333.17015(8).

⁶ MICH. COMP. LAWS § 750.323; see *also* *Larkin v. Cahalan*, 208 N.W.2d 176, 180-81 (Mich. 1973) (construing statute to apply post-viability).