

# Advocacy Report on the 99<sup>th</sup> Michigan Legislature

AN ANALYSIS OF THE 2017-2018 LEGISLATIVE SESSION



MICHIGAN  
CATHOLIC  
CONFERENCE







Photo credit: Patrick Yockey, Senate Communications

Dear Friends,

I am pleased to present the *Advocacy Report on the 99<sup>th</sup> Michigan Legislature*. This report provides a detailed review of the advocacy efforts of Michigan Catholic Conference (MCC) at the State Capitol during the 2017–2018 legislative session.

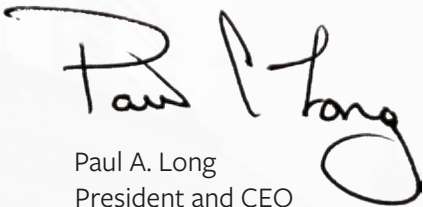
Over the past two years, staff reviewed hundreds of bills introduced in both the State Senate and House of Representatives. These measures were analyzed with an eye toward the common good and a drive to promote the dignity of the human person. Guided by its framework document *A Blueprint for the Common Good*, MCC advocated for measures that would assist the marginalized and forgotten, enhance school choice, defend the rights of immigrants and migrants, speak to the truth of the human person, and maintain the vital role of the traditional family as a cornerstone for strong communities. These efforts resulted in victories for low-income families, student safety, pregnant mothers, and dozens of additional policies that enhance the well-being of every Michigander.

The work of rising above partisanship or favor continues to occupy a diminishing space in the political sphere. As such, we are grateful to those legislators, staff, and department officials with whom MCC collaborated during the legislative session. In light of ongoing difficulties at the national and global stages, both within and outside of the Church, MCC remains committed to finding bipartisan solutions to complex social problems of the day. These efforts can only be accomplished with patience, integrity, and a heart for those who suffer.

MCC is grateful for its episcopal leadership, diocesan clergy, lay leaders, and the many religious men and women that offer kind words of support and encouragement. Truly, “there are many parts, but one body.” I hope you find interest in the pages that follow.

With deep appreciation for your interest, support, and guidance, I am,

Sincerely,

A handwritten signature in black ink that reads "Paul A. Long". The signature is written in a cursive, flowing style with a large, prominent loop at the end of the last name.

Paul A. Long  
President and CEO



# Contents

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## State Budget Activity 1

---

### Human Life and Dignity Policy 3

---

Safe Delivery Update . . . . .	5	Gun-Free Zones . . . . .	6
Stillborn Tax Credit . . . . .	5	Law Enforcement Training on FGM . . . . .	6
Maintenance of Webcam . . . . .		Perinatal Hospice . . . . .	7
Abortion Ban . . . . .	5	Abortion Regulations . . . . .	7
Newborn Safety Device . . . . .	6	Assisted Suicide Legalization . . . . .	7
Recognition of Embryo/Fetus as . . . . .		Abortion Access Expansion . . . . .	8
a Victim . . . . .	6	Emergency Contraception Mandate . . . . .	8
Spina Bifida Education . . . . .	6	Gestational Surrogacy . . . . .	8

### Preferential Option for the Poor and Regulatory Policies 9

---

Food Excise Tax Ban . . . . .	11	Charitable Gaming . . . . .	13
Unemployment Insurance Reform . . . . .	11	Donor Privacy . . . . .	14
Meals on Wheels Resolution . . . . .	11	Knights of Columbus Plate . . . . .	14
Personal Exemption Increase . . . . .	11	Charitable Giving Tax Credit . . . . .	15
FIP Grace Period . . . . .	12	Energy Freedom Package . . . . .	15
Weatherization Assistance . . . . .	13	EITC Increase . . . . .	15
Election Petition Circulators . . . . .	13	Payday Lending . . . . .	15
Medicaid Work Requirement . . . . .	13		

### Religious Liberty Policy 17

---

Application of Foreign Laws . . . . .	18	Repeal of Adoption Conscience . . . . .	
Contraceptive Mandate . . . . .	18	Measures . . . . .	19

### Education Policy 21

---

School Sale and Deed Restrictions . . . . .	23	Active Shooter Training . . . . .	24
Cross Border Dual Enrollment . . . . .	23	Sexual Assault and Harassment . . . . .	
School Violence Prevention . . . . .		Education . . . . .	25
and Safety . . . . .	24	Students Reporting Sexual Assault . . . . .	25
Elimination of the OK2Say Sunset . . . . .	24	Dual Enrollment Cap Elimination . . . . .	25
School Safety Protections . . . . .	24	Storm Shelter Exemption . . . . .	25

Alternative Energy Suppliers for Schools . . . . .	25	Student Athlete Transfers . . . . .	26
		Separation of Employment Records	26

---

**Children and Families Policy** **27**

“Defer and Dismiss” . . . . .	29	Mandatory Reporter Expansion . . .	30
Parental Rights and FGM . . . . .	29	Assistance, Paternity, and Criminal Sexual Conduct . . . . .	30
Human Trafficking Coercion Definition . . . . .	29	Joint Parental Custody . . . . .	30
Student Safety Act Reports . . . . .	29	Human Trafficking Hotline . . . . .	31
Child Pornography Penalties . . . . .	29	Adoption Tax Credit . . . . .	31
Abuse Reporting Requirement . . . . .	30	Second Parent Adoption . . . . .	31
Penalties for Child Abuse . . . . .	30	Same-Sex Marriage . . . . .	31

---

**Restorative Justice Policy** **33**

Recidivism Package . . . . .	35	Admissibility of Prior Sex Crimes . .	36
Expert Witness Testimony . . . . .	35	Wrongful Imprisonment Tax Exemption . . . . .	37
Prostitution Exemption . . . . .	35	Crime Reporting and Position of Authority . . . . .	37
Defendant and Victim Statements .	35	Forensic Science Commission . . . .	37
Statute of Limitations . . . . .	36	Raise the Age . . . . .	38
Objective Parole . . . . .	36		
Victim Impact Statement Expansion . . . . .	36		

---

**Immigration and Refugee Policy** **39**

State ID and Legal Presence . . . . .	40	Sanctuary Cities . . . . .	41
Immigration Reform Resolution . . .	41	E-Verify . . . . .	41

---

**Health Care Policy** **43**

Opioid Abuse Prevention . . . . .	45	Medical Exams on Minors . . . . .	47
Michigan POST . . . . .	46	DNR for Medically Frail Child . . . .	47
Pregnancy Health Warning on Marijuana Products . . . . .	46	Vaccination Exemption Education Removal . . . . .	47
Medical Record Retention . . . . .	46		
Penalties for Abuse in Medical Settings . . . . .	47		



# State Budget Activity

Fiscal Years 2017–2018, 2018–2019

Over the course of budget deliberations this legislative session, Michigan Catholic Conference advocated several policies to assist those in need, especially vulnerable women and children, the homeless, low-income families, and students. Below is an overview of those policies and their level of funding in the two budget years of the 2017–2018 session: Fiscal Years 2017–2018 and 2018–2019.

## **Michigan’s Pregnancy and Parenting Support Services Program**

- Provided \$1.35 million to a program that supports women in crisis pregnancies and promotes alternatives to abortion.

## **Children’s Clothing Allowance**

- Maintained funding in the state budgets to assist Michigan’s low-income families who qualify for the Family Independence Program (FIP) to purchase school clothing for children, at \$140 per child per year.

## **Heat and Eat**

- Maximized federal food assistance benefits to approximately 160,000 eligible recipients—including the elderly and persons with disabilities—by offering \$6.4 million in additional state energy assistance.

## **Homeless Emergency Shelter Per Diem Rate**

- Increased the per diem rate for emergency homeless shelters from \$12 to \$16 per bed per night, to improve emergency and transitional services for the homeless.

## **Per Diem Rates for Foster Care Agencies**

- Increased the per diem administrative rate for private foster care agencies that contract with the Department of Health and Human Services (DHHS), such as Catholic Charities, to \$46.20.

## **Human Trafficking Awareness and Victim Services**

- Allocated \$1.18 million to maintain the Human Trafficking Commission and to fund human trafficking intervention services.

## **School Health and Safety Mandates**

- Appropriated \$2,750,000 to nonpublic schools for State health, safety, and welfare mandates.
- Allocated \$50 million for safety grants, available to all types of schools.
- Created a new \$30 million School Mental Health and Support Services Fund to improve mental health outcomes and support K-12 students in all schools.

## **Shared Time Instruction**

- Included \$245 million in shared time funding, which allows a nonpublic or homeschooled student to enroll in a nonessential class, coordinated through a public school.

## **Dual Enrollment**

- Included \$4 million for nonpublic school students to take advantage of dual enrollment, or courses for college credit during high school.

## **Robotics Grants**

- Provided \$600,000 in new robotics grant funding for nonpublic schools, which helps with competition costs and stipends for coaches.

## **College Tuition Assistance**

- Disbursed \$122.6 million to the Tuition Incentive Program to assist Medicaid-eligible students with tuition costs for the first two years of college.
- Provided approximately \$76 million for the Tuition Grant Program, which helps low-income students attend one of Michigan's independent colleges or universities, including Catholic schools.



“Whether one is elderly or frail, living with a disability or in desolation, whether a child is yet to be born, or a convicted felon evaluating past choices in life, every person has inherent dignity.”

# MCC Advocacy Principles

- State initiatives that provide and expand alternatives to abortion and assistance to pregnant women, including adoption.
- Measures to limit abortion and promote the safety of women.
- Regulations on research policies which violate the dignity of the human person and the sanctity of human life.
- Policies that seek to reduce violence in society, including the reduction of gun violence.
- Upholding the constitutional ban on the death penalty and the statutory ban on assisted suicide.
- Policies that expand and improve palliative care.

## Legislation

Topic	Position	Outcome
Safe Delivery Update	Support	
Female Genital Mutilation Prevention	Support	
Stillborn Tax Credit	Support	
Maintenance of Webcam Abortion Ban <sup>1</sup>	Support	
Newborn Safety Device <sup>1</sup>	Support	
Recognition of Embryo/Fetus as a Victim	Support	
Spina Bifida Education	Support	
Gun-Free Zones	Support	
Law Enforcement Training on FGM	Support	
Perinatal Hospice	Support	
Abortion Regulations	Support	
Assisted Suicide Legalization	Oppose	
Abortion Access Expansion	Oppose	
Emergency Contraception Mandate	Oppose	
Gestational Surrogacy	Oppose	

MCC Supported Law Introduced Committee Chamber Law Died / Vetoed

<sup>1</sup> Vetoed by Governor Snyder.

# Bills Signed Into Law

MCC took positions on the following bills, which passed the Legislature and were signed into law.

## Safe Delivery Update

Support

HB 4311 → PA 142 of 2017<sup>2</sup>

- Updates Michigan’s Safe Delivery Act—which allows parents to surrender a newborn child to an emergency service provider—and enacts greater confidentially provisions.

HBs 4636–4637; SBs 337, 368, 338, 369; HBs 4638, 4639, 4642; SB 410 → PAs 68–75, 77, 81 of 2017; HR 105 of 2017

## Female Genital Mutilation Prevention

Support

- Prohibits female genital mutilation (FGM) on a minor or the transportation of a minor for FGM in state law.
- Revokes a medical professional’s license for those convicted of performing FGM.
- Requires the Michigan Department of Health and Human Services (DHHS) to develop and administer a public education program about FGM.
- Supports the United Nations’ efforts to eliminate FGM.

## Stillborn Tax Credit

Support

HB 4522 → PA 589 of 2018

- Allows a Michigan taxpayer to claim a one-time personal exemption for a still-born child.
- Helps parents meet costs accompanying the loss (i.e. prenatal care and funeral expenses).

# Bills Vetoed

MCC took positions on the following bills, which were vetoed by Governor Snyder.

## Maintenance of Webcam Abortion Ban

Support

SB 1198

- Retains Michigan’s current practice of requiring a physician to be physically present to diagnose a patient as pregnant prior to prescribing and dispensing abortion drugs.

<sup>2</sup> A similar measure that was introduced in the Senate was not adopted: SB 215.

- Removes the December 31, 2018 sunset on the webcam abortion ban and helps protect women’s safety.

**Newborn Safety Device**

Support

HBs 5750, 5751, 5953, 5954

- Allows newborns to be surrendered to a safety delivery device at a hospital or location staffed 24/7. The device locks and notifies the provider within thirty seconds.
- Allows a baby to be surrendered during his/her first thirty days (current law allows surrender for the first three).

## Bills Supported/Opposed

*MCC took positions on the following bills, which were considered but not enacted during session.*

**Recognition of Embryo/Fetus as a Victim**

Support

HB 4500

- Requires an embryo or fetus to be counted as a person when considering the number of victims harmed by a crime to determine the offender’s sentence.

**Spina Bifida Education**

Support

HB 4584

- Provides parents medically accurate information on spina bifida—outcomes, medical treatment, and support services—after their child is prenatally or postnatally diagnosed.

**Gun-Free Zones**

Support

SB 584

- Allows a person with extra firearm training to carry concealed in gun-free zones (i.e. churches, schools), unless a private property owner prohibits weapons there.
- Prohibits the open carry of weapons in gun-free zones by those with a concealed permit, which is currently allowed under Michigan law.

**Law Enforcement Training on FGM**

Support

HB 4640

- Adds training for law enforcement in assessing situations that involve female genital mutilation (FGM).



## Perinatal Hospice

Support

SB 367

- Requires medically-accurate information about treatment, support, and assistance to be given to parents whose child has a prenatally diagnosed condition.
- Provides referral information to perinatal hospice programs, which allows families whose child is likely to die before or shortly after birth to go through the natural grieving process.

*Lawmakers took no action on the following bills that were introduced and referred to committee.*

HBs 4221, 4552–4553,  
4592–4593; SBs 162,  
391–392, 376–377, 164

## Abortion Regulations

Support

- Prohibits the State from contracting with providers that offer abortions.
- Includes dismemberment abortion in Michigan’s partial-birth abortion ban.
- Adds more physical complications that must be reported after an abortion.

## Assisted Suicide Legalization

Oppose

HBs 4461–4462

- Reverses Michigan’s prohibition against physician-assisted suicide.

Photo: MCC advocates work closely with lawmakers and staff to ensure the positions of the Catholic Church are heard in matters of public policy.



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**Abortion Access Expansion**

Oppose

HBs 4760–4763, 4765, 6281; SBs 451–454

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- Removes the twenty-four hour waiting period for abortions.
- Repeals the abortion insurance opt-out, which has prevented health plans on the Affordable Care Act’s state health care exchange from including coverage for elective abortions.
- Prohibit laws or administrative rules that place a burden on access to abortion.
- Requires organizations, such as pregnancy centers, to provide notice to their clients that they are not licensed as a health facility.

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**Emergency Contraception Mandate**

Oppose

HBs 5613–5614; SB 834

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- Require emergency rooms or urgent care clinics to offer emergency contraception to victims of sexual assault.

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**Gestational Surrogacy**

Oppose

SB 1082

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- Allows for gestational surrogacy in Michigan.



PREFERENTIAL OPTION FOR THE  
POOR AND REGULATORY POLICIES

“The weakest, the infirm, the destitute, and other vulnerable members of society must be considered during policy deliberations and budget discussions.”

MCC, *A BLUEPRINT FOR THE COMMON GOOD*

# MCC Advocacy Principles

- Tax policies that support low-income residents.
- The allocation of scarce budget resources to provide critical services for vulnerable persons, especially health care, food, and heating assistance.
- Energy policies and regulations which promote competition, support for low-income ratepayers, and foster environmental stewardship.
- Affirmation of the recognized right to exercise religious conscience in the provision of publicly-funded services.
- Maintenance of the tax-exempt status for nonprofit organizations.
- Affordable housing for low- and moderate-income families and individuals.
- Affordable and accessible transportation options for low- and moderate-income workers.

## Legislation

Topic	Position	Outcome
Food Excise Tax Ban	Support	
Unemployment Insurance Reform	Support	
Meals on Wheels Resolution <sup>3</sup>	Support	
Personal Exemption Increase	Support	
FIP Grace Period	Support	
Weatherization Assistance	Support	
Election Petition Circulators	Support	
Medicaid Work Requirement	Oppose	
Charitable Gaming <sup>4</sup>	Support	
Donor Privacy <sup>4</sup>	Support	
Knights of Columbus Plate (House)	Support	
Knights of Columbus Plate (Senate)	Support	
Charitable Giving Tax Credit <sup>5</sup>	Support	

MCC Supported Law Introduced Committee Chamber Law Died / Vetoed

<sup>3</sup> A Senate resolution is only required to pass the Senate to go into effect.

<sup>4</sup> Vetoed by Governor Snyder.

<sup>5</sup> HBs 6433 and 6434 passed two committees in the House of Representatives.



Topic	Position	Outcome
Energy Freedom Package	Support	
EITC Increase	Support	
Payday Lending	Oppose	

MCC Supported Law
 Introduced
 Committee
 Chamber
 Law
 Died / Vetoed

## Bills Signed Into Law

MCC took positions on the following bills, which passed the Legislature and were signed into law.

### Food Excise Tax Ban Support HB 4999 → PA 135 of 2017<sup>6</sup>

- Prevents local governments from imposing taxes or fees on the manufacturing, distribution, or sale of food, which typically have a disproportional effect on the poor and vulnerable.

### Unemployment Insurance Reform Support HBs 5165–5172 → PAs 225–232 of 2017

- Addresses imposter unemployment claims, amends penalties for fraud, and provides access to advocacy services for those falsely accused of unemployment fraud.
- Creates a mechanism for employers and affected employees to report fake claims.

### Meals on Wheels Resolution Support SR 30 of 2017

- Urges the U.S. Congress to continue Meals on Wheels and signals that a program addressing hunger, isolation, and loss of independence for the elderly is worth maintaining.

### Personal Exemption Increase Support SBs 748, 750 → PAs 38–39 of 2018

- Preserves and increases Michigan’s personal exemption to address changes needed after the passage of the federal Tax Cut and Jobs Act of 2017.

<sup>6</sup>A similar measure that was introduced in the Senate was not adopted: SB 583.

# FIP Grace Period

SB 752 → PA 574 of 2018

Senate Bill 752, a measure championed by Michigan Catholic Conference (MCC), became Public Act 574 of 2018 in December with the governor's signature. This pro-marriage, anti-poverty bill assists low-income families in Michigan's Family Independence Program (FIP). Previous policy forced low-income couples with children to choose between getting married or retaining needed cash assistance benefits for their kids, creating a disincentive for marriage. As a result, MCC staff approached Senator Wayne Schmidt (R-Traverse City) with the idea of SB 752. The bill allows the State of Michigan to temporarily "disregard" a new spouse's income when determining the family's FIP eligibility, for a period of eighteen months. Throughout 2018, MCC testified with Senator Schmidt on behalf of the legislation in the Senate Families, Seniors and Human Services Committee and the House Families, Children, and Seniors Committee. Staff offered language suggestions, worked with interested stakeholders to address any concerns, and met with lawmakers to help move the bill through the process.



Photo (left to right): Tom Hickson, MCC Vice President for Public Policy; and Senator Wayne Schmidt, the bill sponsor of SB 752, testified before the Senate Families, Seniors and Human Services Committee about the importance of this legislation.

## Weatherization Assistance

Support

SB 647 → PA 161 of 2018

- Extends the previous year's provision for determining weatherization funds to Fiscal Year 2021–2022, which help low-income individuals receive a credit for home heating fuel costs.
- Encourages low-income families to improve energy efficiency and to reduce energy costs.

## Election Petition Circulators

Support

HB 6595 → PA 608 of 2018

- Tightens the state's signature-gathering process for ballot proposals, to limit out-of-state paid circulators and to ensure that ballot proposals represent the will of Michiganders.

**Note:** *After concerns with the language as initially introduced, MCC helped improve provisions for volunteer signature-gathers and time frames for submission, which allowed the Conference to support the bill.*

## Medicaid Work Requirement

Oppose

SB 897 → PA 208 of 2018<sup>7</sup>

- Introduces work requirements on able-bodied recipients of the expanded Medicaid program, Healthy Michigan, who are between the ages of nineteen and sixty-two.
- Requires these recipients to participate in approved work-related activities for an average of eighty hours a month and outlines exemptions.

# Bills Vetoed

*MCC took positions on the following bills, which were vetoed by Governor Snyder.*

## Charitable Gaming

Support

SB 35<sup>8</sup>

- Creates standards for charities and contracting companies regarding gaming operations.
- Addresses concerns with restrictive rules that hinder charities' ability to raise money.

<sup>7</sup> A similar measure that was introduced in the House was not adopted: HB 5716.

<sup>8</sup> A similar measure that was introduced in the House was not adopted: HB 4081.

- Prohibits local and state government agencies from requiring nonprofit organizations to turn over their contributor lists, except through criminal warrants or discovery in a lawsuit.
- Allows individuals to support churches and charities without fear of retribution or intimidation.

## Bills Supported/Opposed

*MCC took positions on the following bills, which were considered but not enacted during session.*

### Knights of Columbus Plate

Support

HB 4495; SB 354

- Allows for State-sponsored fundraising license plates, whose proceeds would be directed to specific charitable causes. The Knights of Columbus were included in these proposals at first, but in later versions, were removed due to concerns with the start-up fees required.



Photo (left to right): Reverend Monsignor Michael Osborn, Vicar General of the Diocese of Kalamazoo; Senator John Proos, sponsor of SB 354; and Most Reverend Paul J. Bradley, Bishop of the Diocese of Kalamazoo.



## Charitable Giving Tax Credit

Support

HBs 6433–6434; SB 405

- Provides a nonrefundable tax credit for contributions to food banks, homeless shelters, or community foundations that help those in need.

## Energy Freedom Package

Support

HBs 5861–5865

- Allows low-income customers to participate in community energy programs.
- Removes the cap on how much residential solar power can enter the grid, also known as net metering.
- Provides people who sell power back to the grid a fair price for their energy.

*Lawmakers took no action on the following bills that were introduced and referred to committee.*

## EITC Increase

Support

HBs 4341–4342, 5529; SB 26

- Increases the amount of the state Earned Income Tax Credit (EITC), an anti-poverty tool that aids low-income working families.


## Payday Lending

Oppose

SB 432

- Creates the Small Loan Regulatory Act.
- Allows an individual to borrow as much as \$2,500 for up to twenty-four months and provides a range of interest payments.



A photograph of three young women walking outdoors, smiling and talking. The woman on the left is wearing a light-colored hijab and a matching top. The woman in the middle is wearing a dark headscarf and a light-colored top. The woman on the right is wearing a dark vest over a light-colored long-sleeved shirt and patterned pants. They are walking on a paved path with a building in the background.

“The free exercise of religion is explicit and guarantees citizens the right to follow their conscience, not only at a worship site, but throughout their daily lives.”



# MCC Advocacy Principles

- Freedom for faith-based providers, institutions, and all individuals to serve the general public according to their religious tradition and without interference from the government.
- Opposition to government regulations and mandates that violate the long-standing religious practices of faith-based organizations.

## Legislation

Topic	Position	Outcome
Application of Foreign Laws	Oppose	
Contraceptive Mandate	Oppose	
Repeal of Adoption Conscience Measures	Oppose	

MCC Supported Law
 Introduced
 Committee
 Chamber
 Law
 Died/Vetoed

## Bills Supported/Opposed

Lawmakers took no action on the following bills that were introduced and referred to committee.

### Application of Foreign Laws

Oppose

HB 4499

- Restricts courts, arbitrators, and mediators from using “foreign laws” in a decision, if they could be interpreted to violate a person’s civil rights under the Michigan or U.S. Constitution.
- Allows civil courts to interpret church canon law decisions (i.e. parish closings).

### Contraceptive Mandate

Oppose

HBs 5610–5612, 4799; SBs 832–833, 835, 458

- Forbids employers from requiring disclosure about employee use or nonuse of contraceptives.
- Requires pharmacies to provide contraceptives, if in stock, or accommodate the individuals’ preference for receiving the contraceptives in a timely manner.
- Requires employers to provide information about insurance coverage for prescription contraception.



- Details what types of contraceptive coverage and services insurance plans must cover.

## **Repeal of Adoption Conscience Measures**

Oppose

HBs 6230–6232

- Prohibits a child-placement agency from declining to participate in adoptions based on religious or moral convictions.
- Allows for actions against child-placement agencies that refuse to participate in an adoption based on religious or moral convictions.

# **Additional Action**

## **Public Comment Period on Michigan Civil Rights Act**

During this session, MCC submitted a letter to the Michigan Civil Rights Commission urging that body to refrain from reinterpreting the state’s Elliott-Larsen Civil Rights Act. The letter was sent during a public comment period, scheduled in response to a request for the Commission to interpret the meaning of the word “sex” in the Act to include gender identity and sexual orientation. MCC was concerned that an effort from the Michigan Civil Rights Commission to reinterpret the law went beyond the Commission’s power and would disregard necessary religious liberty protections. While the Commission did vote in favor of reinterpreting the statute, the body’s decision is not binding, nor does it have the force of law.



“Children of all backgrounds deserve a great education which, along with a healthy family life, is the best path out of poverty.”

# MCC Advocacy Principles

- Reimbursement to nonpublic schools for state mandated, noninstructional services, including policies which protect the health, safety, and well-being of students.
- Appointment of a state ombudsman within the Michigan Department of Education to ensure equitable participation of the nonpublic school community in federally funded programs.
- Maximized opportunities of nonpublic school students to participate in comprehensive shared time services.
- Policies that seek to improve the quality of public education and ensure parental rights within the public school setting.
- Requirement that all public school districts have open enrollment policies.
- Protection of nonpublic schools from excessive regulation.
- Adequate funding for the Michigan Tuition Grant and Incentive Programs.
- Amending Article VIII, Section II of the Michigan Constitution to allow the Michigan Legislature greater flexibility for necessary education reforms.

## Legislation

Topic	Position	Outcome
School Sale and Deed Restrictions	Support	
Cross Border Dual Enrollment	Support	
School Violence Prevention and Safety	Support	
Elimination of OK2Say Sunset	Support	
School Safety Protections	Support	
Active Shooter Training	Support	
Sexual Assault and Harassment Education	Support	
Student Reporting Sexual Assault	Support	
Dual Enrollment Cap Elimination	Support	
Storm Shelter Exemption	Support	
Alternative Energy Suppliers for Schools	Support	
Student Athlete Transfers	Support	
Separation of Employment Records	Support	

MCC Supported Law 
 Introduced 
 Committee 
 Chamber 
 Law 
 Died / Vetoed



# Bills Signed Into Law

MCC took positions on the following bills, which passed the Legislature and were signed into law.

## School Sale and Deed Restrictions

Support

SBs 249, 702 → PA 98  
of 2017; PA 7 of 2018

- Prevents a local government from denying or requiring a school district to sell, lease, or rent property to an educational institution or private school solely because of its intended use for a lawful educational purpose.
- Prohibits local governments from placing deed restrictions for the same purpose.

## Cross Border Dual Enrollment

Support

HB 4735 → PA 11 of 2018

- Codifies a previous budget policy that public school students in districts at the Michigan border can dual enroll in secondary institutions outside of the state (within twenty miles).
- Offers this expanded educational opportunity to nonpublic schools within border districts.

Photo: Michigan Catholic Conference and other school choice advocates participated in National School Choice Week in Detroit in 2017, calling for all families to have the educational options that fit best for their children.



## School Violence Prevention and Safety

Support

- Creates the School Safety Commission within the Department of State Police and enacts confidentiality provisions for school safety information.
- Requires public and nonpublic schools to designate a liaison to work with the School Safety Commission to identify model school safety practices.
- Creates the Office of School Safety to develop model school safety practices and training, to apply for federal funding, and to disburse school safety grants.
- Requires emergency contact information to be updated with the Michigan State Police twice a year.

## Elimination of the OK2Say Sunset

Support

HB 5850 → PA 550 of 2018<sup>9</sup>

- Maintains in law the OK2Say program, which is a hotline for individuals to confidentially report potential harm, criminal acts, or self-harm impacting students and staff.
- Prevents the Act's October 2021 sunset and improves safety for all Michigan's schools.

## School Safety Protections

Support

HBs 5851, 5942–5943 →  
PAs 551, 532, 637 of 2018<sup>10</sup>

- Requires a school district or public school academy to report certain incidents of crime.
- Outlines that the Office of School Safety would compile a report at least quarterly for the School Safety Commission, the Michigan State Police, and other law enforcement agencies.
- Increases penalties for threatening violent acts against school students, employees, or property with a dangerous weapon.

## Active Shooter Training

Support

HB 5852 → PA 552 of 2018<sup>11</sup>

- Requires licensed and tribal law enforcement officers, fire arson investigators, and private college security officers to complete active violence response training, starting in January of 2020.
- Outlines the procedure for establishing minimum standards for this training.

<sup>9</sup>A similar measure that was introduced in the Senate was not adopted: SB 957.

<sup>10</sup>A similar measure to HB 5851 that was introduced in the Senate was not adopted: SB 958.

<sup>11</sup>A similar measure that was introduced in the Senate was not adopted: SB 959.

# Bills Supported/Opposed

MCC took positions on the following bills, which were considered but not enacted during session.

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## Sexual Assault and Harassment Education

Support

HB 5791

- Requires the Michigan Department of Education to develop and make available age-appropriate material for students in grades six through twelve on sexual assault and harassment.
- Sets the procedure and guidelines to encourage training for all public school educators and personnel every five years to respond to pupils who experience sexual assault or harassment.

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## Students Reporting Sexual Assault

Support

HB 5800

- Prohibits public school boards or board of directors from expelling or suspending students for more than ten days if they report being sexual assaulted.
- Outlines the procedure for the school official or staff told by the student.

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## Dual Enrollment Cap Elimination

Support

SB 980

- Removes the limitation on the number of postsecondary courses a qualified high school student can take while still in high school.

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## Storm Shelter Exemption

Support

HB 5068

- Responds to concerns with an International Building Code provision. The provision would require K–12 public and nonpublic schools to build storm shelters capable of withstanding winds in excess of 250 mph.
- Exempts public and nonpublic schools from the new code.

**Note:** The Michigan Department of Licensing and Regulatory Affairs later blocked enactment of the storm shelter requirement.

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## Alternative Energy Suppliers for Schools

Support

HB 4708

- Allows education entities, such as public and nonpublic schools, to purchase energy from an alternative electric supplier without that purchase counting

towards the ten percent limit on an electric utility’s average weather-adjusted retail sales.

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**Student Athlete Transfers**

Support

HB 5393

- Prevents a school district or public school academy from barring a student from participation in interscholastic athletic activities because of transferring.

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**Separation of Employment Records**

Support

HB 5786

- Requires the Michigan Department of Education to keep a record of the reason and circumstances for separating with a public school employee or contracted person.
- Allows the individual to review the record and request a correction, or to submit a written statement to be kept with the file if the content of the file cannot be agreed upon.
- Sets the procedure for prospective employers to access this record.



“While marriage is the building block of the family, families, in turn, provide the necessary foundation for all of society. A strong society requires strong families.”

# MCC Advocacy Principles

- Promoting the traditional definition of marriage as the union of one man and one woman.
- Tax policies that protect and promote the stability of marriage and the institution of the family.
- Policies that strengthen the long-standing relationship between the State of Michigan and nonprofit agencies in the provision of child placement services.
- Amending Michigan’s no-fault divorce laws.
- Policies that combat human trafficking, domestic violence, and abuse of vulnerable persons.

## Legislation

Topic	Position	Outcome
“Defer and Dismiss”	Support	
Parental Rights and FGM	Support	
Human Trafficking Coercion Definition	Support	
Student Safety Act Reports	Support	
Child Pornography Penalties	Support	
Abuse Reporting Requirement <sup>12</sup>	Support	
Penalties for Child Abuse	Support	
Mandatory Reporter Expansion (House)	Support	
Mandatory Reporter Expansion (Senate)	Support	
Assistance, Paternity, and CSC	Support	
Joint Parental Custody	Support	
Human Trafficking Hotline	Support	
Adoption Tax Credit	Support	
Second Parent Adoption	Oppose	
Same-Sex Marriage	Oppose	

MCC Supported Law Introduced Committee Chamber Law Died / Vetoed

<sup>12</sup> Senate did not concur with the changes made in the House.

# Bills Signed Into Law

MCC took positions on the following bills, which passed the Legislature and were signed into law.

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## “Defer and Dismiss”

Support

HB 4219 → PA 34 of 2017

- Allows trafficking victims with previous state or local prostitution-related charges to have them dismissed after probation and programming.
- Helps victims receive services instead of jail time.

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## Parental Rights and FGM

Support

HB 4716 → PA 193 of 2017

- Provides grounds for terminating parental rights if a parent is convicted under state or federal law of performing or transporting a child for female genital mutilation (FGM).

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## Human Trafficking Coercion Definition

Support

HB 5438 → PA 119 of 2018

- Expands the definition of coercion in human trafficking law to include “controlling or facilitating access to controlled substances.”

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## Student Safety Act Reports

Support

HB 5539 → PA 371 of 2018

- Includes sexual abuse, assault, or rape as specific examples of potential harm or criminal acts that the public can report to the OK2Say anonymous hotline.

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## Child Pornography Penalties

Support

HBs 5660–5661, 5794  
→ PAs 373–375 of 2018<sup>13</sup>

- Increases penalties for aggravated possession or access of child sexually abusive material (child pornography).

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<sup>13</sup> Similar measures that were introduced in the Senate were not adopted: SBs 878–879.

# Bills Supported/Opposed

MCC took positions on the following bills, which were considered but not enacted during session.

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## Abuse Reporting Requirement

Support

SBs 874, 880

- Designates that a mandatory reporter willingly failing to report abuse is a felony.

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## Penalties for Child Abuse

Support

HBs 4486–4487

- Increases penalties for 3<sup>rd</sup> or 4<sup>th</sup> degree child abuse after a prior conviction.

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## Mandatory Reporter Expansion

Support

HBs 5659, 5796; SB 873

- Adds employees at a post-secondary educational institution; paid, volunteer, and assistant coaches; and athletic trainers to the list of mandatory reporters of child abuse and neglect.
- Requires the development of a comprehensive training package for mandatory reporters, as well as requires employers with mandatory reporters to distribute this resource.

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## Assistance, Paternity, and Criminal Sexual Conduct

Support

SB 650

- Addresses a requirement that single mothers seeking financial assistance from the State must establish paternity and obtain child support, which puts sexual assault victims at risk of sharing parenting time with their attacker.
- Offers an exception from seeking paternity and child support from a father who committed criminal sexual conduct or domestic violence.

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## Joint Parental Custody

Support

HB 4691

- Presumes joint custody and equal parenting time as the starting point in custody disputes.
- Recognizes that in most cases, children benefit from a relationship with both their mother and their father, and it also helps responsible parents receive time with their children.
- Includes protections for kids from unfit parents or domestic violence.



Lawmakers took no action on the following bills that were introduced and referred to committee.

### Human Trafficking Hotline

Support

HB 5977; SBs 417–418

- Expands the locations required to post the human trafficking hotline.
- Requires the Department of Health and Human Services to work with Department of Transportation to promote public awareness regarding the hotline.

### Adoption Tax Credit

Support

SB 407

- Restores Michigan’s tax credit for qualified adoption expenses.

### Second Parent Adoption

Oppose

HB 6229; SB 911

- Allows for two unmarried persons to adopt a child.

### Same-Sex Marriage

Oppose

HB 6233–6235

- Repeals the prohibition on the marriage of two members of the same gender.

Photo (left to right): Marina Hentz, Associate Director of Safe Environment of the Diocese of Kalamazoo; Tom Hickson, Michigan Catholic Conference Vice President for Public Policy; Larry LaCross, Victim Assistance Coordinator for the Diocese of Gaylord; and Candy Neff, Director of Communications for the Diocese of Gaylord testify in front of the House Law and Justice Committee on behalf Mandatory Reporter Expansion bills.





“The common good suffers when security, fairness, and a true sense of correction are replaced by fear and vengeance.”

# MCC Advocacy Principles

- Policies that provide just compensation to crime victims, and treatment for their physical and emotional injuries.
- Policies that incentivize intensive probation programming to reduce recidivism.
- Adequate state funding to ensure accused indigent persons receive competent legal representation.
- Comprehensive services to assist the formerly incarcerated to become productive members of society.
- Sentencing guidelines and parole practices that reflect an individual’s potential threat to society.
- Elimination of life without parole sentencing for juveniles convicted as adults.

## Legislation

Topic	Position	Outcome
Recidivism Package	Support	
Expert Witness Testimony	Support	
Prostitution Exemption	Support	
Defendant and Victim Statements	Support	
Statute of Limitations (Prospective)	Support	
Statute of Limitations (Retroactive)	Oppose	
Objective Parole	Support	
Victim Impact Statement Expansion	Support	
Admissibility of Prior Sex Crimes	Support	
Wrongful Imprisonment Tax Exemption	Support	
Crime Reporting and Position of Authority	Support	
Forensic Science Commission	Support	
Raise the Age	Support	

MCC Supported Law 
 Introduced 
 Committee 
 Chamber 
 Law 
 Died / Vetoed



# Bills Signed Into Law

*MCC took positions on the following bills, which passed the Legislature and were signed into law.*

## **Recidivism Package**      Support      SBs 16, 5–10, 12–13, 15, 17–24 → PAs 1–18 of 2017

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- Modifies penalties for probationers who commit technical probation violations.
- Defines recidivism and provides specialty rehabilitative programming for young prisoners.
- Encourages implementation of evidence-based supervision practices.
- Expands participation in the “Swift and Sure” Probation Supervision Program, an intensive program for high-risk felony offenders with a history of probation violations or failures.

## **Expert Witness Testimony**      Support      HB 4211 → PA 53 of 2017

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- Allows expert witness testimony on the behavioral pattern of human trafficking victims to be submitted as evidence during a criminal trial.
- Improves understanding around trauma in human trafficking cases for the judge and jury.

## **Prostitution Exemption**      Support      HB 4355; SB 275 → PAs 194–195 of 2017

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- Eliminates a previous exemption in state law, which had allowed on-duty police officers to be immune from prosecution if they had sex with a prostitute during an investigation.

## **Defendant and Victim Statements**      Support      HB 5407 → PA 153 of 2018

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- Requires an adult or juvenile defendant to be physically present during sentencing while victims are giving their impact statements.

## Statute of Limitations

Support Prospective Provisions

- Extends the criminal and civil statute of limitations, or time a plaintiff can file an action, going forward for certain criminal sexual conduct crimes. MCC supported these prospective provisions.

**Note:** MCC opposed aspects of SB 872 as introduced, which would have allowed a window of time for the civil statute of limitations to be applied retroactively. As enacted, the bill allows a minor victim of criminal sexual conduct who was abused by a physician between 1996–2016 to file an action for damages within ninety days of the bill's enactment.

## Objective Parole

Support

HB 5377 → PA 339 of 2018

- Assists the Michigan Parole Board in making objective and evidence-based decisions.
- Defines “substantial and compelling reasons,” as the Parole Board previously could deny release to offenders for such reasons without providing evidence.
- Requires denial of parole and reasons for that denial to be given in writing.

## Victim Impact Statement Expansion

Support

HB 5798 → PA 370 of 2018

- Expands the pool of individuals who can give a victim impact statement on behalf of a victim in court, with their consent (i.e. spouse, minor child, sibling, grandparent, or parent).

## Admissibility of Prior Sex Crimes

Support

HB 5658 → PA 372 of 2018

- Allows prior sex crimes to be introduced in court as evidence in certain circumstances.

<sup>14</sup>A similar measure that was introduced in the House was not adopted: HB 4133.

# Bills Supported/Opposed

MCC took positions on the following bills, which were considered but not enacted during session.

## Wrongful Imprisonment Tax Exemption

Support

HB 4991; SBs 895–896

- Preserves the intent of the Wrongful Imprisonment Compensation Act passed in 2016.
- Extends the window for those wrongfully convicted, imprisoned, and release to apply for compensation from the State of Michigan.
- Exempts Wrongful Imprisonment Compensation Act claims from existing filing deadlines, so conflicts do not arise again.

**Note:** *HB 4991 was enacted at the end of the 2017–2018 legislative session as Public Act 588 of 2018, but its content was drastically changed. The measure passed by lawmakers no longer deals with the wrongful imprisonment tax exemption.*

## Crime Reporting and Position of Authority

Support

HB 5537

- Prohibits a person in a position of authority over another from preventing him or her from reporting child abuse or criminal sexual conduct.

## Forensic Science Commission

Support

HB 6026

- Creates a ten-member Michigan Forensic Science Commission to regulate and oversee crime labs, as well as forensic medical examiners.
- Establishes higher standards for state crime labs, ensures more accurate analysis of criminal evidence, and improves accuracy in convictions.

## Raise the Age

HBs 4607, 4653, 4659, 4662, 4664,  
4675-4678, 4685, 4696, 4741, 4744, 4753,  
4789, 4793, 4850, 4969, 5637, 6396, 6515

While time ran out this legislative session before the “Raise the Age” package could be adopted by the full Michigan Legislature, juvenile justice reform gained significant momentum. The “Raise the Age” bills, among other aspects, would have allowed most seventeen-year-olds to be handled and treated within the juvenile system, except in the most serious cases; ensured youth under twenty-one could receive age-appropriate programming and outdoor exercise; and established a family advisory board within the Michigan Department of Corrections. MCC, as part of a larger coalition of organizations in support of the bill package, raised awareness and support for “Raise the Age” reform with lawmakers on both sides of the aisle. Staff actively participated in strategy meetings, wrote opinion pieces, gave radio interviews, and shared information on social media about the bills. Additionally, through the larger Coalition’s advocacy, almost 2,000 messages were sent from Michigan residents to their state lawmakers, asking them to act on this policy. MCC will continue to work in the next legislative session on this important measure.



Photo: Tom Hickson, MCC Vice President for Public Policy, testified in front of the House Law and Justice Committee about why “Raise the Age” would be a good policy for Michigan.



“While security screening is necessary, immigrants and refugees should be treated with dignity.”

# MCC Advocacy Principles

- Uphold the human dignity of all persons and work against injustices that compromise the dignity of immigrants, including access to state identification.
- Continue to welcome refugees to the state who have been properly admitted by the federal government.
- Recognize and promote the values that immigrants provide to Michigan’s culture and economy.

## Legislation

Topic	Position	Outcome
State ID and Legal Presence	Support	
Immigration Reform Resolution	Support	
Sanctuary Cities	Neutral	
E-Verify	Oppose	

MCC Supported Law  
 Introduced  
 Committee  
 Chamber  
 Law  
 Died / Vetoed

## Bills Signed Into Law

MCC took positions on the following bills, which passed the Legislature and were signed into law.

**State ID and Legal Presence**      Support      HBs 5686–5687 → PAs 176–177 of 2018

- Prohibits the Secretary of State from issuing a state identification card or driver’s license for a term that extends beyond the duration of a person’s legal presence in the United States.
- Ensures the issuance of any ID card or license would be consistent with federal regulations.

**Note:** After concerns with the initial language, MCC staff worked with sponsors to ensure the bills more accurately reflected federal law and did not place an undue burden on local law enforcement to evaluate legal presence, without knowing if the individual is in the process of renewal.

## Immigration Reform Resolution

Support

HCR 15 of 2017, adopted  
by House and Senate

- Urges Congress to take comprehensive action on immigration reform.
- Highlights Michigan's longstanding and positive history with immigrants.

## Bills Supported/Opposed

*MCC took positions on the following bills, which were considered but not enacted during session.*

### Sanctuary Cities

Neutral

HBs 4105, 4334

- Prohibits a local unit of government or county from enacting or enforcing any law which limits cooperation with federal officials about a person's immigration status.

*Lawmakers took no action on the following bills that were introduced and referred to committee.*

### E-Verify

Oppose

HBs 4130

- Mandates use of the federal E-Verify system for public employers or those who contract with public employers to check immigration status.

**Note:** *mcc had concerns with the E-Verify process, which is inaccurate, provides private information to a federal government database, and places a regulatory burden upon the business community.*





“Health care policies should encompass the whole person, addressing both physical and behavioral health needs.”

MCC, *A BLUEPRINT FOR THE COMMON GOOD*

# MCC Advocacy Principles

- Protection of health coverage for low- and moderate- income individuals and families.
- Appropriate Medicaid funding to ensure adequate coverage for recipients and payments to providers.
- Opposition to legislation that threatens the mission of institutional and individual faith-based providers.
- Policies that ensure adequate resources for behavioral and physical health care, including addictions.

## Legislation

Topic	Position	Outcome
Opioid Abuse Prevention	Support	
Michigan POST	Support	
Pregnancy Health Warning on Marijuana	Support	
Medical Record Retention	Support	
Penalties for Abuse in Medical Settings	Support	
Medical Exams on Minors	Support	
DNR for Medically Frail Child	Support	
Vaccination Exemption Education Removal	Oppose	

MCC Supported Law  
 Introduced  
 Committee  
 Chamber  
 Law  
 Died / Vetoed

SB 360; HB 4408; SBs 270, 166–667, 273–274, 47; HBs 4403, 4406–4407 → PAs 165, 246–255 of 2017 and HB 5678 → PA 101 of 2018

# Opioid Abuse Prevention

Opioids are highly addictive prescription drugs used for pain relief. In addition to carrying the potential for dependence, opioid use is often a gateway to illegal drugs, such as heroin. The 2017–2018 legislative session produced bipartisan solutions to curb opioid abuse and assist those struggling with addiction. MCC dedicated its June 2017 FOCUS publication to the topic, which was distributed to Catholic schools, parishes, elected officials, and members of the statewide news media. Staff also wrote a letter to lawmakers, commending their attention to the topic and urging continued action. This session, Michigan adopted new laws that:

- Limit opioid prescriptions and allow pharmacists to use professional judgment in filling additional refills.
- Require parental consent before prescribing an opioid to a minor for the first time.
- Require a licensed prescriber to review a patient’s MAPS<sup>15</sup> report and to have a bona fide relationship with the patient before prescribing a controlled substance.
- Direct prescribers to provide information on substance use disorder services to patients treated for an opioid overdose and directs the Department of Education to offer instruction on opioid abuse.
- Allow Medicaid to cover opioid use disorders.



<sup>15</sup> MAPS stands for the Michigan Automated Prescription System.

# Bills Signed Into Law

MCC took positions on the following bills, which passed the Legislature and were signed into law.

## Michigan POST

Support

HBs 4170, 4171, 4173, 4174 → PAs 154–157 of 2017

- Helps health care professionals honor the wishes of their seriously ill patients who voluntarily document their treatment decisions on the standardized POST form.
- Allows for discussion and certain medical decisions to be made prior to a crisis so that a patient's wishes can be followed regarding treatment or non-treatment.

**MCC Action:** Michigan Catholic Conference worked closely with the National Catholic Bioethics Center on the language, to ensure the measures incorporated necessary safeguards.

# Bills Supported/Opposed

MCC took positions on the following bills, which were considered but not enacted during session.

## Pregnancy Health Warning on Marijuana Products

Support

HB 5222

- Requires all medical marijuana sold in Michigan to include a health warning for pregnant and nursing women.

## Medical Record Retention

Support

HBs 5783–5784

- Requires medical treatment with vaginal or anal penetration to be expressly referenced on a patient's record and kept by a healthcare facility for fifteen years, with some exceptions.
- Sets various penalties for failing to document these treatments, depending on intent.
- Requires a patient's records to be kept for fifteen years if the patient files a complaint to the facility relating to sexual misconduct by anyone connected to that facility.



- Requires the Michigan Board of Medicine and the Michigan Board of Osteopathic Medicine to provide publicly available guidance on accepted standards for medical services involving vaginal or anal penetration.

### **Penalties for Abuse in Medical Settings**

Support

HBs 5787–5790

- Revises an existing felony to include broader legal terms and to increase sentencing options for medical professionals who commit sexual abuse under the pretense of treatment.
- Covers this crime against all—not just female—patients.
- Revokes a medical professional’s license if convicted.

### **Medical Exams on Minors**

Support

HB 5793

- Prohibits a medical treatment, procedure, or examination involving vaginal or anal penetration on a minor, unless it is in a medical professional’s scope of practice and certain procedures are followed (i.e. multiple professionals in the room, written parental consent).
- Requires the Department of Licensing and Regulatory Affairs to develop a publicly available standardized consent form.

### **DNR for Medically Frail Child**

Support

SBs 784, 786, 827

- Allows a parent to execute a do-not-resuscitate (DNR) order for his or her medically frail minor child, if that child has been diagnosed with an advanced illness by a physician.
- Requires the order be signed by the parent(s), the physician, and two adult witnesses.
- Provides rules to school districts about receiving, filing, and executing a minor’s order.

### **Vaccination Exemption Education Removal**

Oppose

HBs 4425–4426, 5162–5163; SB 299–300

- Removes the Department of Health and Human Services’ rule that requires parents to receive education about the risks of opting out of immunizations before a parent can obtain a nonmedical waiver.
- Limits the ability of the Department to create rules regarding immunization.











# MICHIGAN CATHOLIC CONFERENCE

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