



March 15, 2016

The Honorable Mike Callton  
House Health Policy Committee  
519 Anderson House Office Building  
Lansing, MI 48909

Dear Chairman Callton and Members of the House Health Policy Committee:

On behalf of the Michigan Academy of Family Physicians—which represents over 4,000 Family Physicians, Family Medicine residents and students serving over one million patients statewide—I write today to express our concerns with House Bill 5098, as written.

Spina Bifida is a rare but serious birth defect that affects the development of an unborn baby's spine, and can, among other things, lead to severe physical and intellectual disabilities. As such, conversations between the patient and his/her physician about the diagnosis and potential treatment are critical to ensure the patient and child's needs are adequately met. It should come as no surprise that this is already occurring in physician offices, hospitals and clinics in accordance with acceptable standards of care. In the isolated event a patient doesn't receive accurate or sufficient information, a physician and/or health care provider can and should be held responsible.

Our concerns with HB 5098 as written stem from the requirement in the bill that physicians and/or other health professionals must provide patients with information from the Department of Health and Human Services that may or not be adequately up-to-date and evidence-based. With respect to Spina Bifida in particular, the medical research continues to evolve at a relatively rapid pace. We can't make it incumbent upon a state agency to keep abreast of these changes. Moreover, this legislation sets a dangerous precedent for the countless other medical conditions that some may decide warrant similar action. Finally, HB 5098 does not specify the recourse if a physician is not aware of or finds it medically irresponsible, in light of new data or research, to follow the law.

While our members understand the intent of the sponsor to raise awareness around the issue and ensure patients are receiving the information they need at the time of diagnosis, the underlying circumstances are often much more complicated and demand the utmost compassion and sensitivity. The flexibility currently afforded to the physician to address the issue based on that patient's particular needs must be preserved.

We have shared these concerns and offered alternatives to the sponsor and his staff; however, our suggestions are not reflected in the bill before you today. Nonetheless, we are happy to continue working with the sponsor to find a solution that protects and honors the physician-patient relationship.

Thank you for your time and attention. We respectfully ask that you oppose House Bill 5098, as written.

Sincerely,

*Loretta Leja MD*

Loretta Leja, MD  
Chair, MAFP Advocacy Committee