

HOUSE BILL No. 4263

February 15, 2005, Introduced by Reps. Lemmons, III, Lemmons, Jr., Cushingberry, Vagnozzi, Murphy, Gonzales, Adamini, Cheeks, Williams, Condino and Hood and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2110c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2110C. (1) AN AUTOMOBILE INSURANCE POLICY AND AN
2 AUTOMOBILE INSURER AND ITS EMPLOYEES, AGENTS, AND ADJUSTERS SHALL
3 NOT UNREASONABLY RESTRICT AN INSURED FROM USING A PARTICULAR HEALTH
4 CARE PROVIDER OR FACILITY FOR HEALTH CARE SERVICES COVERED BY THE
5 POLICY.

6 (2) AN AUTOMOBILE INSURER SHALL DISCLOSE, PRIOR TO OR AT THE
7 TIME A CLAIM IS FILED WITH THE INSURER, WHETHER THE INSURER HAS AN
8 AGREEMENT WITH ANY HEALTH CARE PROVIDER OR FACILITY TO PROVIDE
9 HEALTH CARE SERVICES TO AN INSURED AND SHALL INFORM AN INSURED THAT
10 HE OR SHE IS UNDER NO OBLIGATION TO USE A PARTICULAR HEALTH CARE

1 PROVIDER OR FACILITY.

2 (3) THE OFFICE OF FINANCIAL AND INSURANCE SERVICES SHALL
3 DEVELOP A PLAN WHEREBY THE OFFICE INFORMS CONSUMERS OF THEIR RIGHTS
4 REGARDING INSURANCE COVERAGE OF HEALTH CARE SERVICES AND OF THE
5 INSURED'S ABILITY TO REPORT VIOLATIONS OF THEIR RIGHTS TO THE
6 OFFICE OF FINANCIAL AND INSURANCE SERVICES THROUGH THE OFFICE'S
7 TOLL-FREE TELEPHONE NUMBER OR WEBSITE. THE PLAN SHALL BE DEVELOPED
8 AND SUBMITTED TO THE SENATE AND HOUSE OF REPRESENTATIVES STANDING
9 COMMITTEES ON INSURANCE ISSUES NOT LATER THAN 6 MONTHS AFTER THE
10 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.