

SUBSTITUTE FOR
HOUSE BILL NO. 5408

A bill to amend 1980 PA 350, entitled
"The nonprofit health care corporation reform act,"
(MCL 550.1101 to 550.1704) by adding section 401k.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 401K. (1) A GROUP OR NONGROUP HEALTH CARE CORPORATION
2 CERTIFICATE SHALL NOT REQUIRE FACE-TO-FACE CONTACT BETWEEN A HEALTH
3 CARE PROFESSIONAL AND A PATIENT FOR SERVICES APPROPRIATELY PROVIDED
4 THROUGH TELEMEDICINE, AS DETERMINED BY THE HEALTH CARE CORPORATION.
5 TELEMEDICINE SERVICES SHALL BE PROVIDED BY A HEALTH CARE
6 PROFESSIONAL WHO IS LICENSED, REGISTERED, OR OTHERWISE AUTHORIZED
7 TO ENGAGE IN HIS OR HER HEALTH CARE PROFESSION IN THE STATE WHERE
8 THE PATIENT IS LOCATED. TELEMEDICINE SERVICES ARE SUBJECT TO ALL
9 TERMS AND CONDITIONS OF THE CERTIFICATE AGREED UPON BETWEEN THE
10 CERTIFICATE HOLDER AND THE HEALTH CARE CORPORATION, INCLUDING, BUT
11 NOT LIMITED TO, REQUIRED COPAYMENTS, COINSURANCES, DEDUCTIBLES, AND

1 APPROVED AMOUNTS.

2 (2) AS USED IN THIS SECTION, "TELEMEDICINE" MEANS THE USE OF
3 AN ELECTRONIC MEDIA TO LINK PATIENTS WITH HEALTH CARE PROFESSIONALS
4 IN DIFFERENT LOCATIONS. TO BE CONSIDERED TELEMEDICINE UNDER THIS
5 SECTION, THE HEALTH CARE PROFESSIONAL MUST BE ABLE TO EXAMINE THE
6 PATIENT VIA A REAL-TIME, INTERACTIVE AUDIO OR VIDEO, OR BOTH,
7 TELECOMMUNICATIONS SYSTEM AND THE PATIENT MUST BE ABLE TO INTERACT
8 WITH THE OFF-SITE HEALTH CARE PROFESSIONAL AT THE TIME THE SERVICES
9 ARE PROVIDED.

10 (3) THIS SECTION APPLIES TO A CERTIFICATE ISSUED OR RENEWED ON
11 OR AFTER JANUARY 1, 2013.