

Legislative Analysis



MAINTENANCE OF CERTIFICATION REQUIREMENTS FOR PHYSICIANS

Phone: (517) 373-8080
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House Bills 4134 & 4135 as introduced
Sponsor: Rep. Edward J. Canfield, D.O.
Committee: Health Policy
Complete to 5-24-17

Analysis available at
<http://www.legislature.mi.gov>

REVISED SUMMARY:

House Bill 4134 would add a section to Part 161 (General Provisions) of the Public Health Code. The section would provide that a physician does not need to maintain a national or regional certification not specifically required in Article 15 of the Code before receiving a Michigan license.

House Bill 4135 would add a section to Chapter 22 (The Insurance Contract) of the Insurance Code of 1956 to provide that an insurer or health maintenance organization (HMO) may not require a physician to maintain a national or regional certification not specifically required by Article 15, before paying or reimbursing a claim.

House Bill 4134 (proposed MCL 333.16147)

Under House Bill 4134, in other words, the proposed Section 16147 of the Public Health Code would state that, in spite of any provision in the Code to the contrary, the Department of Licensing and Regulatory Affairs (LARA), the Michigan Board of Medicine, or the Michigan Board of Osteopathic Medicine and Surgery may not require one of its licensed physicians or applicants for a license to maintain a national or regional certification not specifically required in Article 15, before granting a license or license renewal.

House Bill 4135 (proposed MCL 500.2212d)

The proposed Section 2212d of the Insurance Code would provide that maintenance of national or regional certification by an allopathic (M.D.) or osteopathic (D.O.) physician may not be a condition precedent to the payment or reimbursement of a claim. This prohibition would apply to an insurer that delivers, issues for delivery, or renews in this state a health insurance policy issued under Chapters 34 (Disability Insurance Policies) or 36 (Group and Blanket Disability Insurance), as well as an HMO that issues a Health Maintenance Contract under Chapter 35 (Health Maintenance Organizations).

BACKGROUND:

Similar bills were introduced in the 2015-2016 session as House Bills 5090 and 5091. They were considered by the House Health Policy committee, but were not reported to the full House. In addition to the provisions in HBs 4134 and 4135, HB 5090 would have prohibited a licensed hospital from denying admitting privileges to a physician because of failure to maintain certification.

FISCAL IMPACT:

House Bills 4134 and 4135 would not likely have a significant fiscal impact on the state or local units of government.

Legislative Analyst: Jenny McInerney
Fiscal Analyst: Marcus Coffin

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.