

Act No. 131
Public Acts of 1998
Approved by the Governor
June 24, 1998
Filed with the Secretary of State
June 24, 1998
EFFECTIVE DATE: June 24, 1998

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Senators Cisky, Gougeon, Peters, Bouchard, Conroy, DeBeaussaert, Schuette, Bennett, Rogers, Carl, Stille, Dunaskiss, Byrum, Miller, McManus, North, Koivisto, Emmons, Hoffman, Steil, Jaye, Van Regenmorter and Schwarz

ENROLLED SENATE BILL No. 75

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 21072.

The People of the State of Michigan enact:

Sec. 21072. (1) A health maintenance organization shall not rate, cancel coverage on, refuse to provide coverage for, or refuse to issue or renew a contract solely because an enrollee or applicant for enrollment is or has been a victim of domestic violence.

(2) A health maintenance organization shall not be held civilly liable for any cause of action that may result from compliance with this section.

(3) This section applies to all health maintenance organization contracts issued or renewed on or after June 1, 1998.

(4) As used in this section, "domestic violence" means inflicting bodily injury, causing serious emotional injury or psychological trauma, or placing in fear of imminent physical harm by threat or force a person who is a spouse or former spouse of, has or has had a dating relationship with, resides or has resided with, or has a child in common with the person committing the violence.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.



Clerk of the House of Representatives.

Approved _____

Governor.