

HOUSE BILL No. 5278

November 6, 2003, Introduced by Reps. Hummel, Rivet, Plakas, O'Neil, Gleason, Richardville, Robertson, Stahl, Bradstreet, Voorhees, Vander Veen, Hoogendyk, Huizenga, Pappageorge, Mortimer, Newell, Ward, Casperson, Brown, Kooiman, Farhat, Koetje, Stakoe, Hune, Moolenaar, Emmons, Drolet, Palmer, Milosch, Paletko, Sheltroun, Spade, Pastor and Acciavatti and referred to the Committee on Health Policy.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3406r.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3406r. (1) Notwithstanding any other provision of law,
2 a health maintenance organization and a health insurer may refuse
3 to offer or provide a health care benefit that violates an
4 ethical, moral, or religious principle reflected in its articles
5 of incorporation, bylaws, or an adopted mission statement.

6 (2) A health maintenance organization and a health insurer
7 shall not refuse to offer or provide a health care benefit under
8 subsection (1) if the benefit is specifically covered under the
9 contract, policy, or certificate.

10 (3) A health maintenance organization and a health insurer's
11 refusal to offer or provide a health care benefit under

1 subsection (1) shall not be a basis for 1 or more of the
2 following:

3 (a) Civil, criminal, or administrative liability.

4 (b) Eligibility discrimination against the health maintenance
5 organization or health insurer in providing a contract, policy,
6 or certificate where offering or providing the health care
7 benefit is not expressly required as a condition of eligibility.