

# HOUSE BILL No. 4056

January 13, 2011, Introduced by Rep. Callton 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 3402a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 3402A. (1) A HEALTH INSURER PROVIDING AN EXPENSE-INCURRED  
2 HOSPITAL, MEDICAL, OR SURGICAL POLICY OR CERTIFICATE DELIVERED,  
3 ISSUED FOR DELIVERY, OR RENEWED IN THIS STATE AND A HEALTH  
4 MAINTENANCE ORGANIZATION PROVIDING AN INDIVIDUAL OR GROUP CONTRACT  
5 SHALL NOT INCLUDE A HEALTH CARE SERVICE AS A COVERED HEALTH CARE  
6 BENEFIT UNDER THE TERMS AND CONDITIONS OF THE POLICY, CERTIFICATE,  
7 OR CONTRACT OR IN ANY OTHER COMMUNICATION CONCERNING THE POLICY,  
8 CERTIFICATE, OR CONTRACT IF EITHER OF THE FOLLOWING APPLIES:  
9           (A) THE COPAYMENT OR COINSURANCE FOR A HEALTH CARE SERVICE

1 PAYABLE BY THE INSURED OR ENROLLEE IS GREATER THAN 50% OF THE COST  
2 OF THE HEALTH CARE SERVICE.

3 (B) THE DEDUCTIBLE FOR A HEALTH CARE SERVICE PAYABLE BY THE  
4 INSURED OR ENROLLEE MEETS EITHER OF THE FOLLOWING:

5 (i) IS ESTABLISHED IN SUCH A WAY AS TO PROVIDE DE MINIMUS  
6 REIMBURSEMENT FOR THE SERVICE BY THE INSURER OR HEALTH MAINTENANCE  
7 ORGANIZATION.

8 (ii) HAS AN ANNUAL OR OTHER DEDUCTIBLE AMOUNT THAT THE INSURER  
9 OR HEALTH MAINTENANCE ORGANIZATION REASONABLY KNOWS WILL NOT BE MET  
10 BY AT LEAST 80% OF THE INSURED OR ENROLLEES.

11 (2) THE COMMISSIONER SHALL INVESTIGATE AND ISSUE A RULING ON  
12 ALL COMPLAINTS ARISING UNDER THIS SECTION.

13 Enacting section 1. This amendatory act applies to a policy,  
14 certificate, or contract entered into after the date this  
15 amendatory act is enacted into law. For a policy, certificate, or  
16 contract in effect on or before the date this amendatory act is  
17 enacted into law, this amendatory act applies on the date the  
18 policy, certificate, or contract is next extended, renewed, or  
19 modified in any manner.