

SUBSTITUTE FOR
HOUSE BILL NO. 5421

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3476.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3476. (1) AN EXPENSE-INCURRED HOSPITAL, MEDICAL, OR
2 SURGICAL GROUP OR INDIVIDUAL POLICY OR CERTIFICATE DELIVERED,
3 ISSUED FOR DELIVERY, OR RENEWED IN THIS STATE AND A HEALTH
4 MAINTENANCE ORGANIZATION GROUP OR INDIVIDUAL CONTRACT SHALL NOT
5 REQUIRE FACE-TO-FACE CONTACT BETWEEN A HEALTH CARE PROFESSIONAL AND
6 A PATIENT FOR SERVICES APPROPRIATELY PROVIDED THROUGH TELEMEDICINE,
7 AS DETERMINED BY THE INSURER OR HEALTH MAINTENANCE ORGANIZATION.
8 TELEMEDICINE SERVICES SHALL BE PROVIDED BY A HEALTH CARE
9 PROFESSIONAL WHO IS LICENSED, REGISTERED, OR OTHERWISE AUTHORIZED
10 TO ENGAGE IN HIS OR HER HEALTH CARE PROFESSION IN THE STATE WHERE
11 THE PATIENT IS LOCATED. TELEMEDICINE SERVICES ARE SUBJECT TO ALL
12 TERMS AND CONDITIONS OF THE POLICY, CERTIFICATE, OR CONTRACT AGREED

1 UPON BETWEEN THE POLICY, CERTIFICATE, OR CONTRACT HOLDER AND THE
2 INSURER OR HEALTH MAINTENANCE ORGANIZATION, INCLUDING, BUT NOT
3 LIMITED TO, REQUIRED COPAYMENTS, COINSURANCES, DEDUCTIBLES, AND
4 APPROVED AMOUNTS.

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

13 (3) THIS SECTION APPLIES TO A POLICY, CERTIFICATE, OR CONTRACT
14 ISSUED OR RENEWED ON OR AFTER JANUARY 1, 2013.