

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4044

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 455.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 455. (1) NOTWITHSTANDING ANY LAW TO THE CONTRARY, AN
2 INSURER OR A HEALTH MAINTENANCE ORGANIZATION THAT IS AUTHORIZED
3 UNDER THIS ACT TO OFFER AND SELL DISABILITY INSURANCE OR HEALTH
4 MAINTENANCE ORGANIZATION CONTRACTS IN THIS STATE SHALL NOT BE
5 REQUIRED TO OFFER AND SELL ITS PRODUCTS, EXCLUSIVELY OR PARTIALLY,
6 THROUGH AN EXCHANGE CREATED IN THIS STATE FOR THE PURPOSES
7 DESCRIBED IN THE FEDERAL ACT.

8 (2) NOTWITHSTANDING ANY LAW TO THE CONTRARY, AN INSURER OR A

1 HEALTH MAINTENANCE ORGANIZATION THAT IS AUTHORIZED UNDER THIS ACT
2 TO OFFER AND SELL DISABILITY INSURANCE OR HEALTH MAINTENANCE
3 ORGANIZATION CONTRACTS IN THIS STATE AND THAT OTHERWISE MEETS THE
4 REQUIREMENTS OF THE FEDERAL ACT SHALL NOT BE PROHIBITED FROM
5 OFFERING OR SELLING ITS PRODUCTS THROUGH AN EXCHANGE CREATED IN
6 THIS STATE FOR THE PURPOSES DESCRIBED IN THE FEDERAL ACT.

7 (3) AS USED IN THIS SECTION, "FEDERAL ACT" MEANS THE PATIENT
8 PROTECTION AND AFFORDABLE CARE ACT, PUBLIC LAW 111-148, AS AMENDED
9 BY THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010, PUBLIC
10 LAW 111-152.