

HOUSE BILL No. 5930

June 10, 1992, Introduced by Reps. Emerson, Gubow, Bandstra and Bennane and referred to the Committee on Public Health.

A bill to amend Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," as amended, being sections 333.1101 to 333.25211 of the Michigan Compiled Laws, by adding sections 17016 and 17516.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 368 of the Public Acts of 1978, as
2 amended, being sections 333.1101 to 333.25211 of the Michigan
3 Compiled Laws, is amended by adding sections 17016 and 17516 to
4 read as follows:

5 SEC. 17016. (1) A PHYSICIAN WHO OWNS A FINANCIAL INTEREST
6 IN A CLINICAL LABORATORY LICENSED UNDER ARTICLE 17, IN A LABORA-
7 TORY DESCRIBED IN SECTION 20507, OR IN A FACILITY THAT PROVIDES
8 ONLY X-RAY OR OTHER RADIOLOGICAL SERVICES SHALL DISCLOSE THE
9 FINANCIAL INTEREST IN WRITING TO EACH HEALTH INSURER OR HEALTH

1 BENEFITS PROVIDER FROM WHICH THE PHYSICIAN RECEIVES REIMBURSEMENT
2 FOR PROFESSIONAL SERVICES RENDERED. THE PHYSICIAN SHALL DISCLOSE
3 HIS OR HER FINANCIAL INTEREST ON A FORM PROVIDED BY THE
4 DEPARTMENT.

5 (2) A PHYSICIAN WHO OWNS A FINANCIAL INTEREST AS DESCRIBED
6 IN SUBSECTION (1) ON OR BEFORE THE EFFECTIVE DATE OF THIS SECTION
7 SHALL DISCLOSE THE FINANCIAL INTEREST PURSUANT TO SUBSECTION (1)
8 WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION. A PHY-
9 SICIAN WHO OBTAINS A FINANCIAL INTEREST AS DESCRIBED IN
10 SUBSECTION (1) AFTER THE EFFECTIVE DATE OF THIS SECTION SHALL
11 DISCLOSE THE FINANCIAL INTEREST PURSUANT TO SUBSECTION (1) WITHIN
12 90 DAYS AFTER OBTAINING THE FINANCIAL INTEREST. IF A PHYSICIAN
13 WHO OWNS A FINANCIAL INTEREST AS DESCRIBED IN SUBSECTION (1)
14 DIVESTS HIMSELF OR HERSELF OF THAT FINANCIAL INTEREST, THE PHYSI-
15 CIAN SHALL DISCLOSE THE DIVESTMENT IN THE SAME MANNER AS REQUIRED
16 UNDER SUBSECTION (1) FOR THE DISCLOSURE OF THAT FINANCIAL
17 INTEREST.

18 (3) THE DEPARTMENT SHALL DEVELOP THE FINANCIAL INTEREST DIS-
19 CLOSURE FORM REQUIRED UNDER SUBSECTION (1) WITHIN 30 DAYS AFTER
20 THE EFFECTIVE DATE OF THIS SECTION. THE DEPARTMENT SHALL DIS-
21 TRIBUTE THE FORM FREE OF CHARGE TO PHYSICIANS UPON REQUEST.

22 (4) AS USED IN THIS SECTION, "FINANCIAL INTEREST" MEANS A
23 DIRECT OR INDIRECT OWNERSHIP OR BENEFICIAL INTEREST.

24 SEC. 17516. (1) A PHYSICIAN WHO OWNS A FINANCIAL INTEREST
25 IN CLINICAL LABORATORY LICENSED UNDER ARTICLE 17, A LABORATORY
26 DESCRIBED IN SECTION 20507, OR IN A FACILITY THAT PROVIDES ONLY
27 X-RAY OR OTHER RADIOLOGICAL SERVICES SHALL DISCLOSE THE FINANCIAL

1 INTEREST IN WRITING TO EACH HEALTH INSURER OR HEALTH BENEFITS
2 PROVIDER FROM WHICH THE PHYSICIAN RECEIVES REIMBURSEMENT FOR PRO-
3 FESSIONAL SERVICES RENDERED. THE PHYSICIAN SHALL DISCLOSE HIS OR
4 HER FINANCIAL INTEREST ON A FORM PROVIDED BY THE DEPARTMENT.

5 (2) A PHYSICIAN WHO OWNS A FINANCIAL INTEREST AS DESCRIBED
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14 DIVESTS HIMSELF OR HERSELF OF THAT FINANCIAL INTEREST, THE PHYSI-
15 CIAN SHALL DISCLOSE THE DIVESTMENT IN THE SAME MANNER AS REQUIRED
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23 DIRECT OR INDIRECT OWNERSHIP OR BENEFICIAL INTEREST.