



HOUSE BILL No. 4314

February 18, 1993, Introduced by Reps. Bennane, DeMars, Gubow and Leland and referred to the Committee on Public Health.

A bill to amend Act No. 218 of the Public Acts of 1956,
entitled as amended

"The insurance code of 1956,"

as amended, being sections 500.100 to 500.8302 of the Michigan
Compiled Laws, by adding section 3406f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 218 of the Public Acts of 1956, as
2 amended, being sections 500.100 to 500.8302 of the Michigan
3 Compiled Laws, is amended by adding section 3406f to read as
4 follows:

5 SEC. 3406F. (1) AS USED IN THIS SECTION:

6 (A) "HEALTH CARE PROFESSIONAL" MEANS AN INDIVIDUAL LICENSED
7 OR REGISTERED UNDER ARTICLE 15 OF THE PUBLIC HEALTH CODE, ACT
8 NO. 368 OF THE PUBLIC ACTS OF 1978, BEING SECTIONS 333.16101 TO
9 333.18838 OF THE MICHIGAN COMPILED LAWS.

1 (B) "HIV" MEANS HUMAN IMMUNODEFICIENCY VIRUS.

2 (C) "HIV INFECTED" MEANS THAT TERM AS DEFINED IN
3 SECTION 5101 OF ACT NO. 368 OF THE PUBLIC ACTS OF 1978, BEING
4 SECTION 333.5101 OF THE MICHIGAN COMPILED LAWS.

5 (D) "INCOME DISABILITY POLICY OR CERTIFICATE" MEANS A POLICY
6 OR CERTIFICATE OF INSURANCE AGAINST LOSS RESULTING FROM ILLNESS
7 OR INJURY, INCLUDING INSURANCE THAT PROVIDES PERIODIC PAYMENTS
8 WHEN THE INSURED IS UNABLE TO WORK AS A RESULT OF ILLNESS OR
9 INJURY, BUT NOT INCLUDING A POLICY OR CERTIFICATE THAT PROVIDES
10 ONLY DENTAL, HOSPITAL, MEDICAL, OR SURGICAL BENEFITS.

11 (E) "LOSS OF INCOME" MEANS THE AVERAGE MONTHLY INCOME IN THE
12 CURRENT YEAR IS LESS THAN THE AVERAGE MONTHLY INCOME IN THE IMME-
13 DIATELY PRECEDING YEAR.

14 (F) "LOSS OR ANY DIMINISHED VALUE" MEANS ANY LOSS OF
15 INCOME.

16 (2) AN INCOME DISABILITY POLICY OR CERTIFICATE INSURING A
17 HEALTH CARE PROFESSIONAL DELIVERED, ISSUED FOR DELIVERY, OR
18 RENEWED IN THIS STATE ON OR AFTER THE EFFECTIVE DATE OF THIS SEC-
19 TION SHALL PROVIDE COVERAGE IF THE HEALTH CARE PROFESSIONAL
- 20 BECOMES HIV INFECTED AND IS REQUIRED TO ALTER, DIMINISH, OR DIS-
21 CONTINUE HIS OR HER HEALTH CARE PRACTICE BASED ON A DECISION OR
22 FINDING BY THE LICENSING BOARD UNDER SECTION 16269 OF ACT NO. 368
23 OF THE PUBLIC ACTS OF 1978, BEING SECTION 333.16269 OF THE
24 MICHIGAN COMPILED LAWS, OR IF THE LICENSEE DISCONTINUES HIS OR
25 HER HEALTH CARE PRACTICE, WHETHER BECAUSE OF AN HIV-RELATED ILL-
26 NESS OR BECAUSE OF LOSS OR ANY DIMINISHED VALUE OF HIS OR HER
27 HEALTH CARE PRACTICE.

1 Section 2. This amendatory act shall not take effect unless
2 Senate Bill No. _____ or House Bill No. _____ (request
3 no. 01627'93) of the 87th Legislature is enacted into law.