



HOUSE BILL No. 4814

May 25, 1993, Introduced by Reps. Emerson, Bennane and Allen 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 CARE PAYMENT OR BENEFITS PLAN FROM WHICH THE PHYSICIAN RECEIVES
2 REIMBURSEMENT FOR PROFESSIONAL SERVICES RENDERED. THE PHYSICIAN
3 SHALL DISCLOSE HIS OR HER FINANCIAL INTEREST ON A FORM PROVIDED
4 BY THE 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 IN THE MANNER REQUIRED
8 UNDER SUBSECTION (1) WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF
9 THIS SECTION. A PHYSICIAN WHO OBTAINS A FINANCIAL INTEREST AS
10 DESCRIBED IN SUBSECTION (1) AFTER THE EFFECTIVE DATE OF THIS SEC-
11 TION SHALL DISCLOSE THE FINANCIAL INTEREST IN THE MANNER REQUIRED
12 UNDER SUBSECTION (1) WITHIN 90 DAYS AFTER OBTAINING THE FINANCIAL
13 INTEREST. IF A PHYSICIAN WHO OWNS A FINANCIAL INTEREST AS
14 DESCRIBED IN SUBSECTION (1) DIVESTS HIMSELF OR HERSELF OF THAT
15 FINANCIAL INTEREST, THE PHYSICIAN SHALL DISCLOSE THE DIVESTMENT
16 IN THE SAME MANNER AS REQUIRED UNDER SUBSECTION (1) FOR THE DIS-
17 CLOSURE OF THAT FINANCIAL INTEREST WITHIN 90 DAYS AFTER THE
18 DIVESTMENT.

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

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

25 SEC. 17516. (1) A PHYSICIAN WHO OWNS A FINANCIAL INTEREST
26 IN A CLINICAL LABORATORY LICENSED UNDER ARTICLE 17, A LABORATORY
27 DESCRIBED IN SECTION 20507, OR IN A FACILITY THAT PROVIDES ONLY

1 X-RAY OR OTHER RADIOLOGICAL SERVICES SHALL DISCLOSE THE FINANCIAL
2 INTEREST IN WRITING TO EACH HEALTH INSURER OR HEALTH CARE PAYMENT
3 OR BENEFITS PLAN FROM WHICH THE PHYSICIAN RECEIVES REIMBURSEMENT
4 FOR PROFESSIONAL SERVICES RENDERED. THE PHYSICIAN SHALL DISCLOSE
5 HIS OR HER FINANCIAL INTEREST ON A FORM PROVIDED BY THE
6 DEPARTMENT.

7 (2) A PHYSICIAN WHO OWNS A FINANCIAL INTEREST AS DESCRIBED
8 IN SUBSECTION (1) ON OR BEFORE THE EFFECTIVE DATE OF THIS SECTION
9 SHALL DISCLOSE THE FINANCIAL INTEREST IN THE MANNER REQUIRED
10 UNDER SUBSECTION (1) WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF
11 THIS SECTION. A PHYSICIAN WHO OBTAINS A FINANCIAL INTEREST AS
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13 TION SHALL DISCLOSE THE FINANCIAL INTEREST IN THE MANNER REQUIRED
14 UNDER SUBSECTION (1) WITHIN 90 DAYS AFTER OBTAINING THE FINANCIAL
15 INTEREST. IF A PHYSICIAN WHO OWNS A FINANCIAL INTEREST AS
16 DESCRIBED IN SUBSECTION (1) DIVESTS HIMSELF OR HERSELF OF THAT
17 FINANCIAL INTEREST, THE PHYSICIAN SHALL DISCLOSE THE DIVESTMENT
18 IN THE SAME MANNER AS REQUIRED UNDER SUBSECTION (1) FOR THE DIS-
19 CLOSURE OF THAT FINANCIAL INTEREST WITHIN 90 DAYS AFTER THE
20 DIVESTMENT.

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

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