



# SENATE BILL No. 65

January 13, 1993, Introduced by Senator PRIDNIA and referred to the Committee on Health Policy.

A bill to amend section 401d of Act No. 350 of the Public Acts of 1980, entitled as amended "The nonprofit health care corporation reform act," as added by Act No. 102 of the Public Acts of 1991, being section 550.1401d of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 401d of Act No. 350 of the Public Acts  
2 of 1980, as added by Act No. 102 of the Public Acts of 1991,  
3 being section 550.1401d of the Michigan Compiled Law, is amended  
4 to read as follows:

5 Sec. 401d. (1) ~~IF~~ SUBJECT TO SUBSECTIONS (2) AND (3), IF  
6 a health care corporation group or nongroup certificate provides  
7 for health care benefits for services performed by a physician's  
8 assistant, those benefits or reimbursement for those benefits at

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1 the prevailing rate shall not be denied if the ~~requirements are~~  
 2 ~~met~~ services were performed by a physician's assistant acting  
 3 within the scope of his or her license and provided that the fol-  
 4 lowing are met:

5 (a) If THE SERVICES WERE PERFORMED BY a physician's assist-  
 6 ant ~~works~~ WORKING for a physician or facility ~~that~~  
 7 ~~specializes~~ SPECIALIZING in a particular area of medicine,  
 8 ~~then~~ a physician that specializes in that area ~~is~~ OF MEDICINE  
 9 WAS physically present on the premises when the physician's  
 10 ~~assistant's services are~~ ASSISTANT performed THE SERVICES.

11 (b) If THE SERVICES WERE PERFORMED BY a physician's assist-  
 12 ant ~~works~~ WORKING for a physician or facility ~~that engages~~  
 13 ENGAGING in general family practice, ~~then~~ a physician need not  
 14 ~~be~~ HAVE BEEN physically present on the premises when the  
 15 physician's ~~assistant's services are~~ ASSISTANT performed THE  
 16 SERVICES SO LONG AS A CONSULTING PHYSICIAN IS WITHIN 150 MILES OR  
 17 3 HOURS' COMMUTE TO WHERE THE SERVICES ARE PERFORMED.

18 ~~(2) As used in this section, "physician's assistant" means~~  
 19 ~~an individual licensed as a physician's assistant under~~  
 20 ~~article 15 of the public health code, Act No. 368 of the Public~~  
 21 ~~Acts of 1978, being sections 333.16101 to 333.18038 of the~~  
 22 ~~Michigan Compiled Laws.~~

23 (2) ~~(3)~~ This section applies ~~in counties with populations~~  
 24 ~~of 25,000 people or less~~ TO A PHYSICIAN'S ASSISTANT WHO PERFORMS  
 25 SERVICES IN ANY OF THE FOLLOWING:

26 (A) A COUNTY WITH A POPULATION OF 25,000 OR LESS.

1 (B) A CERTIFIED RURAL HEALTH CLINIC.

2 (C) A NONURBANIZED HEALTH PROFESSIONAL SHORTAGE AREA.

3 (3) ~~(4) A~~ FOR PURPOSES OF SUBSECTION (1), A physician  
4 supervising a physician's assistant shall do so from within  
5 Michigan or from a state bordering Michigan.

6 (4) AS USED IN THIS SECTION:

7 (A) "HEALTH PROFESSIONAL SHORTAGE AREA" MEANS THAT TERM AS  
8 DEFINED IN SECTION 332(A)(1) OF SUBPART II OF PART C OF TITLE III  
9 OF THE PUBLIC HEALTH SERVICE ACT, CHAPTER 373, 90 STAT. 2270, 42  
10 U.S.C. 254e.

11 (B) "MEDICAID" MEANS THE PROGRAM OF MEDICAL ASSISTANCE  
12 ESTABLISHED UNDER TITLE XIX OF THE SOCIAL SECURITY ACT, CHAPTER  
13 531, 49 STAT. 620, 42 U.S.C. 1396 TO 1396g AND 1396i TO 1396u.

14 (C) "MEDICARE" MEANS THE FEDERAL MEDICARE PROGRAM ESTAB-  
15 LISHED UNDER TITLE XVIII OF THE SOCIAL SECURITY ACT, CHAPTER 531,  
16 49 STAT. 620, 42 U.S.C. 1395 TO 1395b, 1395b-2, 1395c TO 1395i,  
17 1395i-2 TO 1395i-4, 1395j TO 1395t, 1395u TO 1395w-2, 1395w-4 TO  
18 1395zz, AND 1395bbb TO 1395ccc.

19 (D) "NONURBANIZED" MEANS AN AREA THAT IS NOT AN URBANIZED  
20 AREA.

21 (E) "PHYSICIAN'S ASSISTANT" MEANS AN INDIVIDUAL LICENSED AS  
22 A PHYSICIAN'S ASSISTANT UNDER ARTICLE 15 OF THE PUBLIC HEALTH  
23 CODE, ACT NO. 368 OF THE PUBLIC ACTS OF 1978, BEING SECTIONS  
24 333.16101 TO 333.18838 OF THE MICHIGAN COMPILED LAWS.

25 (F) "RURAL HEALTH CLINIC" MEANS A RURAL HEALTH CLINIC AS  
26 DEFINED UNDER SECTION 1861 OF PART C OF TITLE XVIII OF THE SOCIAL

1 SECURITY ACT, CHAPTER 531, 49 STAT. 620, 42 U.S.C. 1395x, AND  
2 CERTIFIED TO PARTICIPATE IN MEDICAID AND MEDICARE.

3 (G) "URBANIZED AREA" MEANS THAT TERM AS DEFINED BY THE STA-  
4 TISTICAL POLICY OFFICE OF THE OFFICE OF INFORMATION AND REGULA-  
5 TORY AFFAIRS OF THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET  
6 IN PART IV ENTITLED "GENERAL PROCEDURES AND DEFINITIONS", 55  
7 F.R. P. 12160 (MARCH 30, 1990), WHICH DOCUMENT IS INCORPORATED BY  
8 REFERENCE.