

SUBSTITUTE FOR  
HOUSE BILL NO. 4685

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 21052 (MCL 333.21052), as added by 1996 PA  
472.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 21052. (1) By October 1, 1997, a health maintenance  
2 organization shall provide a written form in plain English to  
3 subscribers upon enrollment that describes the terms and condi-  
4 tions of the organization's contract. The form shall provide a  
5 clear, complete, and accurate description of all of the  
6 following, as applicable:  
7       (a) The service area.  
8       (b) Covered benefits, including prescription drug coverage,  
9 with specifications regarding requirements for the use of generic  
10 drugs.

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1 (c) Emergency health coverages and benefits.

2 (d) Out-of-area coverages and benefits.

3 (e) An explanation of enrollee financial responsibility for  
4 copayments, deductibles, and any other out-of-pocket expenses.

5 (f) Provision for continuity of treatment in the event a  
6 provider's participation terminates during the course of an  
7 enrollee's treatment by that provider.

8 (g) The telephone number to call to receive information con-  
9 cerning enrollee grievance procedures.

10 (H) HOW THE COVERED BENEFITS APPLY IN THE EVALUATION AND  
11 TREATMENT OF INTRACTABLE PAIN. AS USED IN THIS SUBDIVISION AND  
12 IN SUBSECTION (2):

13 (i) "BOARD CERTIFIED" MEANS CERTIFIED TO PRACTICE IN A MEDI-  
14 CAL OR OTHER HEALTH PROFESSION SPECIALITY BY THE AMERICAN BOARD  
15 OF MEDICAL SPECIALTIES OR OTHER NATIONAL HEALTH PROFESSIONAL  
16 ORGANIZATION.

17 (ii) "INTRACTABLE PAIN" MEANS THAT TERM AS DEFINED IN SEC-  
18 TION 16204A(7) OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL  
19 333.16204A.

20 (I) ~~-(h)-~~ A summary listing of the information available  
21 pursuant to subsection (2).

22 (2) By October 1, 1997, a health maintenance organization  
23 shall provide upon request to enrollees a clear, complete, and  
24 accurate description of any of the following information that has  
25 been requested:

26 (a) The current provider network in the contract's service  
27 area, including names and locations of participating providers by

1 specialty or type of practice, a statement of limitations of  
2 accessibility and referrals to specialists, and a disclosure of  
3 which providers will not accept new enrollees.

4 (b) The professional credentials of participating health  
5 professionals, INCLUDING, BUT NOT LIMITED TO, PARTICIPATING  
6 HEALTH PROFESSIONALS WHO ARE BOARD CERTIFIED IN THE SPECIALTY OF  
7 PAIN MEDICINE AND THE EVALUATION AND TREATMENT OF INTRACTABLE  
8 PAIN AND HAVE REPORTED THAT CERTIFICATION TO THE HEALTH MAINTENANCE  
9 ORGANIZATION, including all of the following:

10 (i) Relevant professional degrees.

11 (ii) Date of certification by the applicable nationally recognized  
12 boards and other professional bodies.

13 (iii) The names of affiliated licensed facilities where the  
14 health professional presently has privileges for the treatment,  
15 illness, or procedure that is the subject of the request.

16 (c) The licensing verification telephone number for the  
17 Michigan department of consumer and industry services that can be  
18 accessed for information as to whether any disciplinary actions  
19 or open formal complaints have been taken or filed against a  
20 health care provider in the immediately preceding 3 years.

21 (d) Any prior authorization requirements and any limitations,  
22 restrictions, or exclusions, including, but not limited  
23 to, drug formulary limitations and restrictions by category of  
24 service, benefit, and provider, and, if applicable, by specific  
25 service, benefit, or type of drug.

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1 (e) Indication of the financial relationships between the  
2 health maintenance organization and any closed provider panel  
3 including all of the following as applicable:

4 (i) Whether a fee-for-service arrangement exists, under  
5 which the provider is paid a specified amount for each covered  
6 service rendered to the participant.

7 (ii) Whether a capitation arrangement exists, under which a  
8 fixed amount is paid to the provider for all covered services  
9 that are or may be rendered to each covered individual or  
10 family.

11 (iii) Whether payments to providers are made based on stan-  
12 dards relating to cost, quality, or patient satisfaction.

13 (f) A telephone number and address to obtain from the health  
14 maintenance organization additional information concerning the  
15 items described in subdivisions (a) to (e).

16 (3) Upon request, any of the information provided under sub-  
17 section (2) shall be provided in writing. A health maintenance  
18 organization may require that a request under subsection (2) be  
19 submitted in writing.

20 Enacting section 1. This amendatory act takes effect  
21 October 1, 1998.