

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5135**

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3406k.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3406K. (1) AN EXPENSE-INCURRED HOSPITAL, MEDICAL, OR
2 SURGICAL POLICY OR CERTIFICATE DELIVERED, ISSUED FOR DELIVERY, OR
3 RENEWED IN THIS STATE THAT PROVIDES COVERAGE FOR EMERGENCY HEALTH
4 SERVICES SHALL PROVIDE COVERAGE FOR MEDICALLY NECESSARY SERVICES
5 PROVIDED TO AN INSURED FOR THE SUDDEN ONSET OF A MEDICAL CONDI-
6 TION THAT MANIFESTS ITSELF BY SIGNS AND SYMPTOMS OF SUFFICIENT
7 SEVERITY, INCLUDING SEVERE PAIN, SUCH THAT THE ABSENCE OF IMMEDI-
8 ATE MEDICAL ATTENTION COULD REASONABLY BE EXPECTED TO RESULT IN
9 SERIOUS JEOPARDY TO THE INDIVIDUAL'S HEALTH OR TO A PREGNANCY IN
10 THE CASE OF A PREGNANT WOMAN, SERIOUS IMPAIRMENT TO BODILY
11 FUNCTIONS, OR SERIOUS DYSFUNCTION OF ANY BODILY ORGAN OR PART.

HB 5135, As Passed Senate, May 21, 1998

House Bill No. 5135

2

1 AN INSURER SHALL NOT DENY PAYMENT FOR EMERGENCY HEALTH SERVICES
2 UP TO THE POINT OF STABILIZATION PROVIDED TO AN INSURED UNDER
3 THIS SUBSECTION BECAUSE OF EITHER OF THE FOLLOWING:

4 (A) THE FINAL DIAGNOSIS.

5 (B) PRIOR AUTHORIZATION WAS NOT GIVEN BY THE INSURER BEFORE
6 EMERGENCY HEALTH SERVICES WERE PROVIDED.

7 (2) AS USED IN THIS SECTION, "STABILIZATION" MEANS THE POINT
8 AT WHICH NO MATERIAL DETERIORATION OF A CONDITION IS LIKELY,
9 WITHIN REASONABLE MEDICAL PROBABILITY, TO RESULT FROM OR OCCUR
10 DURING TRANSFER OF THE PATIENT.