

Act No. 401  
Public Acts of 1998  
Approved by the Governor  
December 18, 1998  
Filed with the Secretary of State  
December 21, 1998  
EFFECTIVE DATE: March 23, 1999

STATE OF MICHIGAN  
89TH LEGISLATURE  
REGULAR SESSION OF 1998

**Introduced by Reps. Bogardus, McBryde, Wetters, Raczkowski, Goschka, Anthony, Johnson, Willard, Martinez, Dalman, Gire, Schroer, Dobb, Bodem, Baird, Sikkema, Leland, Jellema, Oxender, Quarles, Alley, Gustafson and Palamara**  
**Reps. Agee, Baade, Bankes, Basham, Brackenridge, Cassis, Cherry, Crissman, DeHart, Fitzgerald, Frank, Freeman, Gagliardi, Gilmer, Godchaux, Gubow, Hale, Hammerstrom, Hanley, Hood, Jansen, Kelly, Kilpatrick, Kukuk, LaForge, Law, Llewellyn, London, Middaugh, Olshove, Parks, Rocca, Schermesser, Scott, Scranton, Tesanovich, Varga, Vaughn, Wallace, Whyman and Wojno named co-sponsors**

## ENROLLED HOUSE BILL No. 4779

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 21053d.

*The People of the State of Michigan enact:*

Sec. 21053d. (1) A health maintenance organization contract that requires an enrollee to designate a participating primary care provider shall permit a female enrollee to access an obstetrician-gynecologist for annual well-woman examinations and routine obstetrical and gynecologic services.

(2) A health maintenance organization shall not require prior authorization or referral for access under subsection (1) to an obstetrician-gynecologist who is affiliated with the health maintenance organization. A health maintenance organization may require prior authorization or referral for access to a nonaffiliated obstetrician-gynecologist.

(3) A description of the coverage provided by this section shall be included by the health maintenance organization in a communication sent to the individual or group purchaser of coverage.

-----  
Clerk of the House of Representatives.

-----  
Secretary of the Senate.

Approved -----

-----  
Governor.