

# HOUSE BILL No. 4313

February 23, 1999, Introduced by Reps. Tabor, DeHart, Wojno, Julian, Cherry, Caul, Garcia, DeVuyst, Jelinek, Green, Mortimer, Vander Roest, Jamnick, Gielegem, Shackleton, Sanborn, Pappageorge, Shulman, Jansen and Scranton and referred to the Committee on Senior Health, Security and Retirement.

A bill to amend 1956 PA 218, entitled  
"The insurance code of 1956,"  
by amending section 3913 (MCL 500.3913), as added by 1992 PA 84.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1       Sec. 3913. (1) A long-term care insurance policy shall not  
2 limit or exclude services for home health care benefits in any of  
3 the following ways:
- 4       (a) By requiring that the insured would need skilled care in  
5 a skilled nursing facility if home health care services were not  
6 provided.
- 7       (b) By requiring that the insured first or simultaneously  
8 receive nursing or therapeutic services in a home or community  
9 setting before home health care services are covered.
- 10       (c) By limiting eligible services to services provided by  
11 registered nurses or licensed practical nurses.

1 (d) By requiring that a nurse or therapist provide services  
2 covered by the policy that can be provided by a home health aide  
3 or other licensed or certified home care worker acting within the  
4 scope of his or her licensure or certification.

5 (e) By requiring that the insured have an acute condition  
6 before home health care services are covered.

7 (f) By limiting benefits to services provided by  
8 medicare-certified agencies or providers.

9 (2) Home health care coverage may be applied to the nonhome  
10 health care benefits provided in the policy when determining max-  
11 imum coverage under the terms of the policy.

12 (3) LONG-TERM CARE COVERAGE THAT PROVIDES COVERAGE FOR HOME  
13 CARE OR ASSISTED LIVING SERVICES SHALL PROVIDE A DETAILED EXPLA-  
14 NATION IN PLAIN ENGLISH OF WHAT HOME CARE OR ASSISTED LIVING  
15 SERVICES ARE COVERED.