

House Bill 4313
Sponsor: Rep. Paula K. Zelenko
**Committee: Senior Health, Security and
Retirement**

Complete to 3-27-01

A SUMMARY OF HOUSE BILL 4313 AS INTRODUCED 2-20-01

The bill would amend the Legislative Council Act to create the office of Legislative Managed Care Ombudsman. The ombudsman would be appointed by the Legislative Council and would be the principal executive officer of the office. The ombudsman would be required to:

- Advise the legislature on issues regarding managed care;
- Review and comment on managed care issues involving the Department of Community Health;
- Research and investigate, upon a complaint from a legislator or upon the ombudsman's own initiative, matters that affect the quality, delivery, costs, management, and operation of managed care as it affects consumers;
- Provide technical assistance and act as a resource to consumers regarding managed care; and,
- Perform other functions as directed by the Legislative Council.

Subject to approval of the council, the ombudsman would establish procedures for receiving and processing complaints, conducting investigations, holding hearings, and reporting findings resulting from investigations. The ombudsman could hold informal hearings and could request that any person appear before the ombudsman or appear at a hearing, and give testimony or produce documents or other relevant evidence.

Correspondence between a consumer and the ombudsman would be confidential and exempt from disclosure from the Freedom of Information Act. The ombudsman would be required to maintain secrecy with respect to all matters and the identities of complainants or persons from whom information was acquired, except to the extent that disclosure was necessary to enable the ombudsman to perform the duties of the office, or to support recommendations resulting from an investigation.

The ombudsman would have to report to the Legislative Council on his or her findings and recommendations with regard to a complaint investigation. The report would have to be submitted within 30 days of completing an investigation. These reports and recommendations would also be exempt from disclosure under the Freedom of Information Act.

Finally, the ombudsman would have to report annually to the Legislative Council and to the legislature on the actions of the office, including the need for any suggested legislative action.

MCL 4.1851a et al.

Analyst: D. Martens

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.