

HOUSE BILL No. 4541

April 9, 2003, Introduced by Reps. Reeves, Cheeks, Vagnozzi, Dennis, Murphy and Daniels
and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3518.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3518. (1) If requested by an enrollee, a health
2 maintenance organization shall provide or authorize a second
3 opinion by an appropriately qualified health professional for any
4 of the following reasons:

5 (a) If the enrollee questions the reasonableness or necessity
6 of a recommended surgical procedure.

7 (b) If the enrollee questions a diagnosis or plan of care for
8 a condition that threatens loss of life, loss of limb, loss of
9 bodily function, or substantial impairment, including, but not
10 limited to, a serious chronic condition.

11 (c) If the clinical indications are not clear or are complex

1 and confusing, a diagnosis is in doubt due to conflicting test
2 results, or the treating health professional is unable to
3 diagnose the condition.

4 (d) If the treatment plan in progress is not improving the
5 enrollee's medical condition within an appropriate period of time
6 given the diagnosis and plan of care.

7 (2) If the health maintenance organization approves a request
8 for a second opinion to be given by a nonaffiliated qualified
9 health professional, the health maintenance organization is
10 responsible to pay for the second opinion only what the health
11 maintenance organization would pay for a second opinion by an
12 affiliated qualified health professional.

13 (3) As used in this section, "appropriately qualified health
14 professional" means a primary care physician or a specialist who
15 is acting within his or her scope of practice and who possesses a
16 clinical background, including training and expertise, related to
17 the particular illness, disease, or condition associated with the
18 request for a second opinion.