

Act No. 8  
Public Acts of 2004  
Approved by the Governor  
February 20, 2004  
Filed with the Secretary of State  
February 20, 2004  
EFFECTIVE DATE: February 20, 2004

**STATE OF MICHIGAN  
92ND LEGISLATURE  
REGULAR SESSION OF 2004**

**Introduced by Reps. Wojno, Ehardt, Accavitti, Law, Vander Veen, Bieda, Hardman, Waters, McConico, Plakas, Anderson, Stewart, O'Neil, Rocca, Gielegem, Pappageorge, Phillips, Zelenko, Kolb, Jamnick, Richardville, Spade, Lipsey, Murphy, Voorhees, Middaugh, Julian, Dennis, Pumford, Shackleton, Brown, Cheeks, Stallworth, Hood, Farrah, Paletko, Pastor, LaJoy, Hopgood, Clack, Condino, Vagnozzi, Garfield, Nofs, Sak, Elkins and Gillard**

# **ENROLLED HOUSE BILL No. 4966**

AN ACT to amend 1980 PA 350, entitled "An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts," by amending section 418 (MCL 550.1418), as added by 1998 PA 124.

*The People of the State of Michigan enact:*

Sec. 418. (1) A health care corporation certificate that provides coverage for emergency health services shall provide coverage for medically necessary services provided to a member for the sudden onset of a medical condition that manifests itself by signs and symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in serious jeopardy to the individual's health or to a pregnancy in the case of a pregnant woman, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part. A health care corporation shall not require a physician to transfer a patient before the physician determines that the patient has reached the point of stabilization. A health care corporation shall not deny payment for emergency health services up to the point of stabilization provided to a member under this subsection because of either of the following:

(a) The final diagnosis.

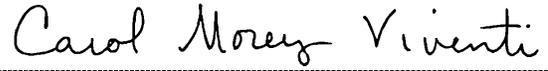
(b) Prior authorization was not given by the health care corporation before emergency health services were provided.

(2) As used in this section, "stabilization" means the point at which no material deterioration of a condition is likely, within reasonable medical probability, to result from or occur during transfer of the patient.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor