

Act No. 411  
Public Acts of 2004  
Approved by the Governor  
November 29, 2004  
Filed with the Secretary of State  
November 29, 2004  
EFFECTIVE DATE: November 29, 2004

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

Introduced by Reps. Newell, Farhat, Walker, Ward, Caswell, Stakoe, Wojno, Hune, Hummel and Middaugh

**ENROLLED HOUSE BILL No. 5970**

AN ACT to amend 1984 PA 323, entitled "An act to prohibit fraud in the obtaining of benefits or payments in connection with health care coverage and insurance; to prohibit kickbacks or bribes in connection with such coverage and insurance; to prohibit conspiracies in obtaining benefits or payments; to provide for certain powers and duties of certain state and local officers and agencies; to provide for and preclude certain civil actions; and to prescribe penalties," (MCL 752.1001 to 752.1011) by adding section 4a.

*The People of the State of Michigan enact:*

Sec. 4a. (1) A rebate or discount from a drug manufacturer or from a company that licenses or distributes the drugs of a drug manufacturer to a consumer for that consumer's use of a drug manufactured or licensed or distributed by that drug manufacturer or company does not violate section 4.

(2) This section does not alter any copayment, deductible, coinsurance, or other cost-sharing requirements under a contract, certificate, or policy issued by a health care corporation or health care insurer.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 5947 of the 92nd Legislature is enacted into law.

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