

HOUSE BILL No. 4746

May 10, 2005, Introduced by Rep. Hummel 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 3406s.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3406S. (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A
2 HEALTH MAINTENANCE ORGANIZATION AND A HEALTH INSURER MAY REFUSE TO
3 OFFER OR PROVIDE A HEALTH CARE BENEFIT ON ETHICAL, MORAL, OR
4 RELIGIOUS GROUNDS AS REFLECTED IN ITS ARTICLES OF INCORPORATION,
5 BYLAWS, OR AN ADOPTED MISSION STATEMENT.

6 (2) A HEALTH MAINTENANCE ORGANIZATION AND A HEALTH INSURER
7 SHALL NOT REFUSE TO OFFER OR PROVIDE A HEALTH CARE BENEFIT UNDER
8 SUBSECTION (1) IF THE BENEFIT IS SPECIFICALLY COVERED UNDER THE
9 CONTRACT, POLICY, OR CERTIFICATE.

1 (3) A HEALTH MAINTENANCE ORGANIZATION AND A HEALTH INSURER'S
2 REFUSAL TO OFFER OR PROVIDE A HEALTH CARE BENEFIT UNDER SUBSECTION
3 (1) SHALL NOT BE A BASIS FOR 1 OR MORE OF THE FOLLOWING:

4 (A) CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY.

5 (B) ELIGIBILITY DISCRIMINATION AGAINST THE HEALTH MAINTENANCE
6 ORGANIZATION OR HEALTH INSURER IN PROVIDING A CONTRACT, POLICY, OR
7 CERTIFICATE UNLESS OFFERING OR PROVIDING THE HEALTH CARE BENEFIT IS
8 EXPRESSLY REQUIRED.