

SENATE BILL No. 848

October 27, 2005, Introduced by Senators GEORGE, JOHNSON, TOY, CROPSEY, JELINEK, KUIPERS, McMANUS, HARDIMAN, VAN WOERKOM, GILBERT, BROWN, CASSIS, PATTERSON, BIRKHOLZ, SIKKEMA, SANBORN, BISHOP, STAMAS, ALLEN, GOSCHKA, GARCIA and HAMMERSTROM and referred to the Committee on Health Policy.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3426.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3426. (1) EACH INSURER PROVIDING A GROUP EXPENSE-INCURRED
2 HOSPITAL, MEDICAL, OR SURGICAL CERTIFICATE DELIVERED, ISSUED FOR
3 DELIVERY, OR RENEWED IN THIS STATE AND EACH HEALTH MAINTENANCE
4 ORGANIZATION SHALL OFFER GROUP WELLNESS COVERAGE THAT PROVIDES FOR
5 AN APPROPRIATE REBATE OF PREMIUMS PAID IN THE LAST CALENDAR YEAR
6 FOR THE WELLNESS COVERAGE IF THE MAJORITY OF INSURED OR ENROLLEES
7 IN THE WELLNESS COVERAGE PLAN HAVE ENROLLED AND MAINTAINED
8 PARTICIPATION IN ANY HEALTH WELLNESS, MAINTENANCE, OR IMPROVEMENT

1 PROGRAM OFFERED BY THE EMPLOYER. THE EMPLOYER SHALL PROVIDE
2 EVIDENCE OF DEMONSTRATIVE MAINTENANCE OR IMPROVEMENT OF THE
3 INSURED'S OR ENROLLEES' HEALTH STATUS AS DETERMINED BY ASSESSMENTS
4 OF AGREED-UPON HEALTH STATUS INDICATORS BETWEEN THE EMPLOYER AND
5 THE HEALTH INSURER OR HEALTH MAINTENANCE ORGANIZATION. ANY REBATE
6 PROVIDED BY THE HEALTH INSURER OR HEALTH MAINTENANCE ORGANIZATION
7 IS PRESUMED TO BE APPROPRIATE UNLESS CREDIBLE DATA DEMONSTRATE
8 OTHERWISE, BUT SHALL NOT EXCEED 10% OF PAID PREMIUMS.

9 (2) EACH INSURER PROVIDING AN INDIVIDUAL OR FAMILY EXPENSE-
10 INCURRED HOSPITAL, MEDICAL, OR SURGICAL POLICY DELIVERED, ISSUED
11 FOR DELIVERY, OR RENEWED IN THIS STATE AND EACH HEALTH MAINTENANCE
12 ORGANIZATION SHALL OFFER INDIVIDUAL AND FAMILY WELLNESS COVERAGE
13 THAT PROVIDES FOR AN APPROPRIATE REBATE OF PREMIUMS PAID IN THE
14 LAST CALENDAR YEAR IF THE INDIVIDUAL OR FAMILY IS ENROLLED IN AND
15 MAINTAINS PARTICIPATION IN ANY HEALTH WELLNESS, MAINTENANCE, OR
16 IMPROVEMENT PROGRAM APPROVED BY THE INSURER OR HEALTH MAINTENANCE
17 ORGANIZATION. THE INSURED OR ENROLLEE SHALL PROVIDE EVIDENCE OF
18 DEMONSTRATIVE MAINTENANCE OR IMPROVEMENT OF THE INDIVIDUAL'S OR
19 FAMILY'S HEALTH STATUS AS DETERMINED BY ASSESSMENTS OF AGREED-UPON
20 HEALTH STATUS INDICATORS BETWEEN THE INSURED OR ENROLLEE AND THE
21 HEALTH INSURER OR HEALTH MAINTENANCE ORGANIZATION. ANY REBATE
22 PROVIDED BY THE HEALTH INSURER OR HEALTH MAINTENANCE ORGANIZATION
23 IS PRESUMED TO BE APPROPRIATE UNLESS CREDIBLE DATA DEMONSTRATE
24 OTHERWISE, BUT SHALL NOT EXCEED 10% OF PAID PREMIUMS.

25 (3) THE PREMIUM REBATE AUTHORIZED BY SUBSECTION (1) SHALL BE
26 PROVIDED EACH YEAR THAT SUBSECTION (1) IS SATISFIED.

27 (4) THE PREMIUM REBATE AUTHORIZED BY SUBSECTION (2) SHALL BE

1 PROVIDED EACH YEAR THAT SUBSECTION (2) IS SATISFIED.

2 Enacting section 1. This amendatory act takes effect January
3 1, 2006.