

HOUSE BILL No. 5776

February 20, 2008, Introduced by Reps. Hune and Gaffney 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 2212c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2212C. (1) AN INSURER THAT DELIVERS, ISSUES FOR DELIVERY,
2 OR RENEWS IN THIS STATE AN EXPENSE-INCURRED HOSPITAL, MEDICAL, OR
3 SURGICAL POLICY OR CERTIFICATE THAT PROVIDES FOR COVERAGE FOR
4 DENTAL SERVICES AND A HEALTH MAINTENANCE ORGANIZATION THAT ISSUES A
5 HEALTH MAINTENANCE ORGANIZATION CONTRACT THAT PROVIDES FOR COVERAGE
6 FOR DENTAL SERVICES SHALL INCLUDE ON ANY EXPLANATION OF BENEFITS OR
7 SIMILAR COMMUNICATION TO AN INSURED OR ENROLLEE FOR DENTAL SERVICE
8 WHERE THE INSURER OR HEALTH MAINTENANCE ORGANIZATION IS PAYING THE
9 MAXIMUM COVERED BENEFIT AMOUNT ALL OF THE FOLLOWING:

10 (A) THAT THE AMOUNT PAID OR TO BE PAID IS THE MAXIMUM AMOUNT

1 THE INSURER OR HEALTH MAINTENANCE ORGANIZATION IS OBLIGATED TO PAY
2 UNDER THE TERMS OF THE POLICY, CERTIFICATE, OR CONTRACT.

3 (B) THAT THE AMOUNT PAID OR TO BE PAID IS NOT A DETERMINATION
4 AS TO THE REASONABLENESS OF THE AMOUNT BILLED.

5 (C) THAT THE AMOUNT PAID OR TO BE PAID IS NOT A DETERMINATION
6 AS TO WHETHER THE AMOUNT BILLED IS OR IS NOT A CUSTOMARY OR USUAL
7 FEE OR CHARGE FOR THE SPECIFIED SERVICE PROVIDED.

8 (2) THE STATEMENTS REQUIRED UNDER SUBSECTION (1) SHALL BE IN
9 BOLDFACED AND UPPERCASE TYPE AND SHALL BE PLACED IN A CONSPICUOUS
10 LOCATION ON THE EXPLANATION OF BENEFITS FORM OR SIMILAR
11 COMMUNICATION.