

Legislative Analysis



PROVISION OF NONOPIOID DIRECTIVE FORM

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5262 as enacted
Public Act 42 of 2022
Sponsor: Rep. Abdullah Hammoud

Analysis available at
<http://www.legislature.mi.gov>

House Bill 5263 as enacted
Public Act 43 of 2022
Sponsor: Rep. Mary Whiteford

House Bill 5264 as enacted
Public Act 44 of 2022
Sponsor: Rep. Pamela Hornberger

House Committee: Health Policy
Senate Committee: Health Policy and Human Services
Complete to 7-22-22

SUMMARY:

House Bills 5262, 5263, and 5264 amend the Insurance Code to require hospitals and insurers to make nonopioid directive forms available to certain parties. A nonopioid directive allows patients to notify health professionals that they do not want to be administered opioids—often because they are most at risk of misusing opioids, such as those with a history of an opioid disorder.¹ The form was introduced by 2018 PA 554.²

House Bill 5262 requires insurers who deliver, issue for delivery, or renew a health insurance policy in Michigan to provide a nonopioid directive form to insured individuals upon enrollment. The bill applies to policies that are delivered, executed, issued, amended, adjusted, or renewed in Michigan—or outside Michigan if covering Michigan residents—after June 30, 2022.

MCL 500.3406y

House Bill 5263 requires insurers who deliver, issue for delivery, or renew a health insurance policy in Michigan to make a nonopioid directive form available to insured individuals on the insurer's website. The bill applies to policies that are delivered, executed, issued, amended, adjusted, or renewed in Michigan—or outside Michigan if covering Michigan residents—after March 31, 2022.

MCL 500.3406x

House Bill 5264 requires hospitals to make the nonopioid directive form available on the hospital's website.

MCL 333.21535

¹ <https://www.michigan.gov/mdhhs/0,5885,7-339--493376--,00.html>

² House Fiscal Agency analysis of 2018 PA 554 (HB 5152): <http://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-5152-1D8A95CE.pdf>

FISCAL IMPACT:

House Bills 5262 and 5263 would not have a fiscal impact on any unit of state or local government. The bills would create additional requirements for health insurers, but would not necessitate any additional regulatory action by any governmental unit.

House Bill 5264 would not have a fiscal impact on any unit of state or local government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.