

PROVISION OF NONOPIOID DIRECTIVE FORM

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<http://www.house.mi.gov/hfa>

House Bill 5262 (H-3) as adopted
Sponsor: Rep. Abdullah Hammoud

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

House Bill 5263 (H-1) as reported from committee
Sponsor: Rep. Mary Whiteford

House Bill 5264 as reported from committee
Sponsor: Rep. Pamela Hornberger

Committee: Health Policy
Complete to 11-30-21

SUMMARY:

House Bills 5262, 5263, and 5264 would 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, including those with a history of an opioid disorder.¹ The form was introduced by 2018 PA 554.²

House Bills 5262 and 5263 would amend the Insurance Code. HB 5262 would require 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. HB 5263 would also require those insurers to make a nonopioid directive form available to insured individuals on the insurer's website.

Both bills would apply to policies delivered, executed, issued, amended, adjusted, or renewed in Michigan—or outside Michigan if covering Michigan residents—after March 31, 2022.

HB 5262: Proposed MCL 500.3406y
HB 5263: Proposed MCL 500.3406x

House Bill 5264 would amend the Insurance Code to require hospitals to make the nonopioid directive form available on the hospital's website.

Proposed 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.

POSITIONS:

Blue Cross Blue Shield of Michigan indicated support for the bills. (10-28-21)

The Department of Insurance and Financial Services indicated support for HBs 5262 and 5263. (10-28-21)

The Michigan Association of Health Plans indicated support for HB 5263. (10-28-21)

The Michigan Association of Health Plans indicated opposition to HB 5262. (10-28-21)

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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.