

# HOUSE BILL No. 6123

November 8, 1990, Introduced by Reps. Gire, Bennane, DeBeaussaert, Kosteva, Gagliardi, Webb, Hart, Pridnia, Gnodtke, Middaugh, Alley, Muxlow, Ostling, Hoffman, Emmons and Allen and referred to the Committee on Public Health.

A bill to amend sections 2237 and 2269 of Act No. 218 of the Public Acts of 1956, entitled as amended

"The insurance code of 1956,"

section 2269 as added by Act No. 195 of the Public Acts of 1982, being sections 500.2237 and 500.2269 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 2237 and 2269 of Act No. 218 of the  
2 Public Acts of 1956, section 2269 as added by Act No. 195 of the  
3 Public Acts of 1982, being sections 500.2237 and 500.2269 of the  
4 Michigan Compiled Laws, are amended to read as follows:

5 Sec. 2237. ~~No~~ A policy of insurance issued under ~~the~~  
6 ~~provisions of chapters 34 and 36 of this act, to take effect~~  
7 ~~after June 30, 1962,~~ CHAPTER 34 OR 36 shall NOT contain any  
8 provision restricting the liability of the insurer with respect

1 to expenses, for which payment would be legally required in the  
2 absence of insurance, on the ground that ~~such~~ THOSE expenses  
3 were incurred while the person insured is in a hospital,  
4 institution, or other facility operated by the state or a politi-  
5 cal subdivision ~~thereof~~ OF THE STATE OR ON THE GROUND THAT  
6 THOSE EXPENSES WERE INCURRED WHILE THE PERSON INSURED IS IN A  
7 HOSPITAL, INSTITUTION, OR OTHER FACILITY THAT IS NOT ACCREDITED  
8 BY THE JOINT COMMISSION ON ACCREDITATION OF HOSPITALS.

9       Sec. 2269. (1) "Accident", "accidental injury", or  
10 "accidental means" shall be defined in accordance with the  
11 following:

12       (a) The definition shall not include words ~~which~~ THAT  
13 establish an accidental means test or use words such as  
14 "external, violent, visible wounds" or similar words of descrip-  
15 tion or characterization.

16       (b) The definition may provide that injuries shall not  
17 include injuries for which benefits are provided under any  
18 worker's compensation, employer's liability, or similar law,  
19 unless prohibited by law.

20       (2) "Benefit period" or "medicare benefit period" shall not  
21 be defined in a more restrictive manner than as defined in the  
22 medicare program.

23       (3) "Hospital" may be defined in relation to its status,  
24 facilities, and available services ~~or to reflect its accredit-~~  
25 ~~ation by the joint commission on accreditation of hospitals,~~ and  
26 in accordance with the following:

1 (a) The definition shall not be more restrictive than to  
2 require that the hospital meets all of the following  
3 requirements:

4 (i) Be an institution operated pursuant to law.

5 (ii) Be primarily and continuously engaged in providing or  
6 operating, either on its premises or in facilities available to  
7 the hospital on a prearranged basis and under the supervision of  
8 a staff of duly licensed physicians, medical, diagnostic, and  
9 surgical facilities for the medical care and treatment of sick or  
10 injured persons on an inpatient basis for which a charge is  
11 made.

12 (iii) Provide 24-hour nursing service by or under the super-  
13 vision of registered professional nurses.

14 (b) The definition may provide that the term shall not  
15 include 1 or more of the following:

16 (i) Convalescent homes or convalescent, rest, or nursing  
17 facilities.

18 (ii) Facilities primarily affording custodial or educational  
19 care.

20 (iii) Facilities for the aged.

21 (iv) Any military or veterans hospital or soldiers home or  
22 any hospital contracted for or operated by any national govern-  
23 ment or agency ~~thereof~~ OF A NATIONAL GOVERNMENT for the treat-  
24 ment of members or ex-members of the armed forces, except for  
25 services rendered on an emergency basis where a legal liability  
26 exists for charges made to the individual for those services.

1       (C) THE DEFINITION SHALL NOT PROVIDE THAT THE HOSPITAL MUST  
2 BE ACCREDITED BY THE JOINT COMMISSION ON ACCREDITATION OF  
3 HOSPITALS.