

# HOUSE BILL No. 4965

July 16, 2003, Introduced by Reps. Ehardt, Wojno, Accavitti, Law, Vander Veen and Bieda and referred to the Committee on Health Policy.

A bill to amend 1956 PA 218, entitled  
"The insurance code of 1956,"  
by amending section 3406k (MCL 500.3406k), as added by 1998 PA  
125.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 3406k. (1) An expense-incurred hospital, medical, or  
2 surgical policy or certificate delivered, issued for delivery, or  
3 renewed in this state that provides coverage for emergency health  
4 services **and a health maintenance organization contract** shall  
5 provide coverage for medically necessary services provided to an  
6 insured for the sudden onset of a medical condition that  
7 manifests itself by signs and symptoms of sufficient severity,  
8 including severe pain, such that the absence of immediate medical  
9 attention could reasonably be expected to result in serious  
10 jeopardy to the individual's health or to a pregnancy in the case

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1 of a pregnant woman, serious impairment to bodily functions, or  
2 serious dysfunction of any bodily organ or part. **An insurer**  
3 **shall not require a physician to transfer a patient before the**  
4 **physician determines that the patient has reached the point of**  
5 **stabilization.** An insurer shall not deny payment for emergency  
6 health services up to the point of stabilization provided to an  
7 insured under this subsection because of either of the  
8 following:

9 (a) The final diagnosis.

10 (b) Prior authorization was not given by the insurer before  
11 emergency health services were provided.

12 (2) As used in this section, "stabilization" means the point  
13 at which no material deterioration of a condition is likely,  
14 within reasonable medical probability, to result from or occur  
15 during transfer of the patient.