

**SUBSTITUTE FOR  
SENATE BILL NO. 400**

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
(MCL 380.1 to 380.1852) by adding section 1255a.

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

1       **SEC. 1255A. (1) IF A SCHOOL DISTRICT, INTERMEDIATE SCHOOL**  
2 **DISTRICT, OR PUBLIC SCHOOL ACADEMY HAS 100 OR MORE EMPLOYEES IN A**  
3 **MEDICAL BENEFIT PLAN, OR PARTICIPATES IN AN ARRANGEMENT OR LETTER**  
4 **OF INTENT DESCRIBED IN SECTION 15(2) OF THE PUBLIC EMPLOYEE HEALTH**  
5 **BENEFITS ACT, 2007 PA 106, MCL 124.85, FOR A MEDICAL BENEFIT PLAN**  
6 **FOR 100 OR MORE PUBLIC EMPLOYEES, THE BOARD OF THE SCHOOL DISTRICT**  
7 **OR INTERMEDIATE SCHOOL DISTRICT OR BOARD OF DIRECTORS OF THE PUBLIC**  
8 **SCHOOL ACADEMY SHALL NOT ENTER INTO A CONTRACT FOR THAT MEDICAL**  
9 **BENEFIT PLAN UNLESS THE CONTRACT PROVIDES FOR 1 OF THE FOLLOWING:**

1           (A) THAT THE BOARD OR BOARD OF DIRECTORS IS A POLICYHOLDER FOR  
2 THE MEDICAL BENEFIT PLAN AND, AT ALL TIMES DURING THE PERIOD OF THE  
3 CONTRACT, THE BOARD OR BOARD OF DIRECTORS WILL HAVE ACCESS BY  
4 ELECTRONIC MEANS TO AT LEAST ALL OF THE CLAIMS UTILIZATION AND COST  
5 INFORMATION DESCRIBED IN SECTION 15 OF THE PUBLIC EMPLOYEE HEALTH  
6 BENEFITS ACT, 2007 PA 106, MCL 124.85.

7           (B) THAT, WITHIN 10 BUSINESS DAYS AFTER MAKING A WRITTEN  
8 REQUEST, THE BOARD OR BOARD OF DIRECTORS WILL BE GIVEN ACCESS BY  
9 ELECTRONIC MEANS TO AT LEAST ALL OF THE CLAIMS UTILIZATION AND COST  
10 INFORMATION DESCRIBED IN SECTION 15 OF THE PUBLIC EMPLOYEE HEALTH  
11 BENEFITS ACT, 2007 PA 106, MCL 124.85.

12           (2) FOR A MEDICAL BENEFIT PLAN PROVIDED BY A SCHOOL DISTRICT,  
13 INTERMEDIATE SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY FOR FEWER  
14 THAN 100 EMPLOYEES, SUBSECTION (1) DOES NOT AFFECT THE ABILITY OF  
15 THE BOARD OF THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT OR  
16 BOARD OF DIRECTORS OF THE PUBLIC SCHOOL ACADEMY TO BE A  
17 POLICYHOLDER FOR THE MEDICAL BENEFIT PLAN.

18           (3) AS USED IN THIS SECTION, "MEDICAL BENEFIT PLAN" MEANS THAT  
19 TERM AS DEFINED IN SECTION 3 OF THE PUBLIC EMPLOYEE HEALTH BENEFITS  
20 ACT, 2007 PA 106, MCL 124.73.