

Michigan Office of Administrative Hearings and Rules
Administrative Rules Division (ARD)

611 W. Ottawa Street
Lansing, MI 48909
Phone: 517-335-8658 Fax: 517-335-9512

REQUEST FOR RULEMAKING (RFR)

1. Department:

Insurance and Financial Services

2. Bureau:

Insurance

3. Promulgation type:

Full Process

4. Title of proposed rule set:

No-Fault Fee Schedule

5. Rule numbers or rule set range of numbers:

R 500.201-R500.225

6. Estimated time frame:

6 months

Name of person filling out RFR:

Catherine Hart

E-mail of person filling out RFR:

HartC4@michigan.gov

Phone number of person filling out RFR:

248-982-9425

Address of person filling out RFR:

530 W. Allegan St., Lansing, MI 48933

7. Describe the general purpose of these rules, including any problems the changes are intended to address.

These rules implement Section 3157 of the Insurance Code of 1956, MCL 500.3157, which establishes a fee schedule applicable to health care providers that provide services to people injured in motor vehicle accidents. These rules do the following: 1) define the applicable Medicare schedule; 2) establish procedures for determining which health care providers are entitled to enhanced reimbursement rates; 3) establish procedures for the department to collect information related to rates charged by health care providers as of January 1, 2019, for the purposes of calculating reimbursement rates; 4) establish a date and methodology for determining the adjustment of reimbursement rates; and 5) establish procedures for the department to administer the accreditation requirements under Section 3157.

8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).

Section 210 of the Insurance Code of 1956, 1956 PA 218, MCL 500.210, requires the Director of the Department of Insurance and Financial Services to promulgate rules necessary to effectuate the purposes and execute and enforce the provisions of the insurance laws of Michigan.

A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).

MCL 500.210; Executive Reorganization Order No. 2013-1, MCL 550.991.

B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.

No.

9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.

These rules do not conflict with or duplicate similar rules, compliance requirements or other standards adopted at the state, regional, or federal level.

10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?

No.

11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?

No.

12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?

Full Process

13. Please describe the extent to which the rules exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.

These rules do not exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.

14. Do the rules incorporate the recommendations received from the public regarding any complaints or comments regarding the rules? If yes, please explain.

The rules do not incorporate any recommendations received from the public regarding any complaints or comments regarding the rules.

15. If amending an existing rule set, please provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed the regulatory activity covered by the rules since the last evaluation.

Not applicable; these rules do not amend an existing rule set.

16. Are there any changes or developments since implementation that demonstrate there is no continued need for the rules, or any portion of the rules?

Not applicable; these rules do not amend an existing rule set.

17. Is there an applicable decision record (as defined in MCL 24.203(6) and required by MCL 24.239(2))? If so, please attach the decision record.

No