

SENATE BILL NO. 524

April 20, 1999, Introduced by Senator BYRUM and referred to the
Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 21052b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 21052B. (1) IF AN AFFILIATION BETWEEN A HEALTH MAINTENANCE ORGANIZATION AND A HEALTH PROFESSIONAL IS TERMINATED OR
2 NANCE ORGANIZATION AND A HEALTH PROFESSIONAL IS TERMINATED OR
3 BENEFITS OR COVERAGE PROVIDED BY A HEALTH PROFESSIONAL IS TERMINATED BECAUSE OF A CHANGE IN THE TERMS OF PROVIDER PARTICIPATION
4 NATED BECAUSE OF A CHANGE IN THE TERMS OF PROVIDER PARTICIPATION
5 IN A GROUP HEALTH MAINTENANCE ORGANIZATION CONTRACT AND A COVERED
6 ENROLLEE IS UNDERGOING A COURSE OF TREATMENT FROM THE HEALTH PROFESSIONAL AT THE TIME OF THE TERMINATION, THE HEALTH MAINTENANCE
7 FESSIONAL AT THE TIME OF THE TERMINATION, THE HEALTH MAINTENANCE
8 ORGANIZATION SHALL DO BOTH OF THE FOLLOWING:
9 (A) NOTIFY THE ENROLLEE ON A TIMELY BASIS OF THE
10 TERMINATION.

1 (B) WITH THE HEALTH PROFESSIONAL'S CONSENT, PERMIT THE
2 ENROLLEE TO CONTINUE AN ONGOING COURSE OF TREATMENT WITH THE
3 HEALTH PROFESSIONAL FOR A TRANSITIONAL PERIOD AS PROVIDED IN THIS
4 SECTION IF IT IS MEDICALLY NECESSARY FOR THE ENROLLEE TO CONTINUE
5 AN ONGOING COURSE OF TREATMENT WITH THE PROVIDER.

6 (2) EXCEPT AS PROVIDED IN SUBSECTIONS (3) AND (4), COVERAGE
7 UNDER THIS SECTION EXTENDS FOR A TRANSITIONAL PERIOD OF UP TO 120
8 DAYS FROM THE NOTICE DATE DESCRIBED IN SUBSECTION (1)(A).

9 (3) IF AN ENROLLEE IS PREGNANT, MEDICAL NECESSITY IS CONSID-
10 ERED DEMONSTRATED AND COVERAGE UNDER THIS SECTION EXTENDS THROUGH
11 POSTPARTUM CARE DIRECTLY RELATED TO THE PREGNANCY.

12 (4) IF AN ENROLLEE IS DETERMINED TO BE TERMINALLY ILL PRIOR
13 TO A HEALTH PROFESSIONAL'S TERMINATION AND THE HEALTH PROFES-
14 SIONAL WAS TREATING THE TERMINAL ILLNESS BEFORE THE DATE OF TER-
15 MINATION, COVERAGE UNDER THIS SECTION EXTENDS FOR THE REMAINDER
16 OF THE ENROLLEE'S LIFE FOR CARE DIRECTLY RELATED TO THE TREATMENT
17 OF THE TERMINAL ILLNESS.

18 (5) AS USED IN THIS SECTION:

19 (A) "TERMINAL ILLNESS" MEANS THAT TERM AS DEFINED IN
20 SECTION 5653.

21 (B) "TERMINATED" OR "TERMINATION" INCLUDES THE EXPIRATION OR
22 NONRENEWAL OF A CONTRACT OR AN AFFILIATION WITH A HEALTH PROFES-
23 SIONAL BY A HEALTH MAINTENANCE ORGANIZATION, BUT DOES NOT INCLUDE
24 A TERMINATION BY THE HEALTH MAINTENANCE ORGANIZATION FOR FAILURE
25 TO MEET APPLICABLE QUALITY STANDARDS OR FOR FRAUD.