

SENATE BILL No. 1258

May 11, 2000, Introduced by Senators SCHWARZ, YOUNG, BENNETT, EMERSON, SHUGARS, HAMMERSTROM, GOSCHKA, BYRUM and DE BEAUSSAERT and referred to the Committee on Health Policy.

A bill to amend 1980 PA 350, entitled
"The nonprofit health care corporation reform act,"
by amending section 418 (MCL 550.1418), as added by 1998 PA 124.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 418. (1) A health care corporation certificate that
2 provides coverage for emergency health services shall provide
3 coverage for medically necessary services provided to a member
4 for the sudden onset of a medical condition that manifests itself
5 by signs and symptoms of sufficient severity, including severe
6 pain, such that the absence of immediate medical attention could
7 reasonably be expected to result in serious jeopardy to the
8 individual's health or to a pregnancy in the case of a pregnant
9 woman, serious impairment to bodily functions, or serious
10 dysfunction of any bodily organ or part. A health care
11 corporation shall not deny payment for emergency health services

1 up to the point of stabilization provided to a member under this
2 subsection because of either of the following:

3 (a) The final diagnosis.

4 (b) Prior authorization was not given by the health care
5 corporation before emergency health services were provided.

6 (2) A HEALTH CARE CORPORATION SUBJECT TO THIS SECTION SHALL
7 NOT ENCOURAGE OR DIRECT A MEMBER TO AN EMERGENCY HEALTH SERVICES
8 RESPONSE AND TRANSPORTATION SYSTEM THAT IS IN COMPETITION WITH OR
9 IS A SUBSTITUTION FOR THE 9-1-1 EMERGENCY HEALTH SERVICES SYSTEM
10 OR OTHER STATE OR LOCAL UNIT OF GOVERNMENT EMERGENCY HEALTH SERV-
11 ICES SYSTEM.

12 (3) SUBSECTION (2) DOES NOT PROHIBIT A HEALTH CARE CORPORA-
13 TION FROM USING OR REQUIRING TRANSPORTATION OUTSIDE THE 9-1-1
14 EMERGENCY HEALTH SERVICES SYSTEM OR OTHER STATE OR LOCAL UNIT OF
15 GOVERNMENT EMERGENCY HEALTH SERVICES SYSTEM FOR NONEMERGENCY
16 HEALTH SERVICES.

17 (4) A HEALTH CARE CORPORATION SHALL NOT REQUIRE A MEMBER TO
18 OBTAIN PRIOR AUTHORIZATION BEFORE ACCESSING THE 9-1-1 SYSTEM OR
19 OTHER STATE OR LOCAL UNIT OF GOVERNMENT EMERGENCY HEALTH SERVICES
20 SYSTEM FOR EMERGENCY HEALTH SERVICES.

21 (5) A HEALTH CARE CORPORATION SHALL NOT USE FALSE OR MIS-
22 LEADING LANGUAGE IN ANY MATERIALS PROVIDED TO MEMBERS TO DISCOUR-
23 AGE OR PROHIBIT A MEMBER FROM ACCESSING THE 9-1-1 SYSTEM FOR
24 EMERGENCY HEALTH SERVICES.

25 (6) ~~-(2)-~~ As used in this section, "stabilization" means the
26 point at which no material deterioration of a condition is

1 likely, within reasonable medical probability, to result from or
2 occur during transfer of the patient.