

**SUBSTITUTE FOR  
HOUSE BILL NO. 5413**

A bill to amend 1980 PA 350, entitled  
"The nonprofit health care corporation reform act,"  
by amending section 401k (MCL 550.1401k), as added by 2012 PA 214.

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

1           Sec. 401k. (1) A group or nongroup health care corporation  
2   certificate ~~shall~~**must** not require face-to-face contact between a  
3   health care professional and a patient for services appropriately  
4   provided through telemedicine, as determined by the health care  
5   corporation. Telemedicine services ~~shall~~**must** be provided by a  
6   health care professional who is licensed, registered, or otherwise  
7   authorized to engage in his or her health care profession in the  
8   state where the patient is located. Telemedicine services are  
9   subject to all terms and conditions of the certificate agreed upon



1 between the certificate holder and the health care corporation,  
2 including, but not limited to, required copayments, coinsurances,  
3 deductibles, and approved amounts.

4 (2) As used in this section, "telemedicine" means the use of  
5 an electronic media to link patients with health care professionals  
6 in different locations. To be considered telemedicine under this  
7 section, the health care professional must be able to examine the  
8 patient via a ~~real-time,~~ **health insurance portability and**  
9 **accountability act of 1996, Public Law 104-91 compliant, secure**  
10 **interactive audio or video, or both, telecommunications system, or**  
11 **through the use of store and forward online messaging.** ~~and the~~  
12 ~~patient must be able to interact with the off-site health care~~  
13 ~~professional at the time the services are provided.~~

14 (3) This section applies to a certificate issued or renewed ~~on~~  
15 ~~or after January 1, 2013.~~ **December 31, 2012.**

