

SUBSTITUTE FOR  
HOUSE BILL NO. 5278  
(As amended April 21, 2004)

A bill to amend 1956 PA 218, entitled  
"The insurance code of 1956,"  
(MCL 500.100 to 500.8302) by adding section 3406r.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1       Sec. 3406r. (1) Notwithstanding any other provision of law,  
2 a health maintenance organization and a health insurer may refuse  
3 to offer or provide a health care benefit on [                    ]  
4 ethical, moral, or religious grounds as reflected in its articles  
5 of incorporation, bylaws, or an adopted mission statement.
- 6       (2) A health maintenance organization and a health insurer  
7 shall not refuse to offer or provide a health care benefit under  
8 subsection (1) if the benefit is specifically covered under the  
9 contract, policy, or certificate.
- 10       (3) A health maintenance organization and a health insurer's  
11 refusal to offer or provide a health care benefit under

1 subsection (1) shall not be a basis for 1 or more of the  
2 following:

3 (a) Civil, criminal, or administrative liability.

4 (b) Eligibility discrimination against the health maintenance  
5 organization or health insurer in providing a contract, policy,  
6 or certificate unless offering or providing the health care  
7 benefit is expressly required.