

HOUSE BILL No. 6326

July 21, 2010, Introduced by Rep. Johnson 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 20154.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 20154. (1) BEGINNING JULY 1, 2011, A HEALTH CARE PROVIDER
2 THAT SUBMITS A HEALTH CARE CLAIM TO A CARRIER FOR COVERED HEALTH
3 CARE SERVICES, EITHER DIRECTLY OR THROUGH A CLEARINGHOUSE, BILLING
4 SERVICE, OR ANY OTHER VENDOR THAT CONTRACTS WITH A HEALTH CARE
5 PROVIDER TO DELIVER HEALTH CARE CLAIMS TO A CARRIER ON THE
6 PROVIDER'S BEHALF, SHALL SUBMIT HEALTH CARE CLAIMS IN ELECTRONIC
7 DATA FORMAT TO THE CARRIER. UPON REQUEST, THE DIRECTOR MAY EXEMPT A

1 HEALTH CARE PROVIDER FROM THE REQUIREMENTS OF THIS SECTION ONLY IF
2 THE PROVIDER DEMONSTRATES HARDSHIP IN COMPLYING WITH THE
3 REQUIREMENTS DUE TO THE GEOGRAPHIC LOCATION OF THE PROVIDER.

4 (2) A VIOLATION OF THIS SECTION BY A HEALTH PROFESSIONAL IS
5 CONSIDERED A VIOLATION OF ARTICLE 15 AND THAT HEALTH PROFESSIONAL
6 IS SUBJECT TO ADMINISTRATIVE ACTION UNDER SECTIONS 16221(H) AND
7 16226.

8 (3) AS USED IN THIS SECTION:

9 (A) "CARRIER" MEANS THAT TERM AS DEFINED IN SECTION 3701 OF
10 THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.3701. CARRIER ALSO
11 INCLUDES A THIRD PARTY ADMINISTRATOR OPERATING PURSUANT TO THE
12 THIRD PARTY ADMINISTRATOR ACT, 1984 PA 218, MCL 550.901 TO 550.960,
13 AND A CARRIER PROVIDING SERVICES PURSUANT TO AN ADMINISTRATIVE
14 SERVICES ONLY OR COST-PLUS ARRANGEMENT.

15 (B) "HEALTH CARE PROVIDER" MEANS A HEALTH FACILITY OR AGENCY
16 OR A HEALTH PROFESSIONAL, WHICH FACILITY, AGENCY, OR PROFESSIONAL
17 PROVIDES MEDICAL OR SURGICAL TREATMENT OR CARE TO HUMAN PATIENTS.

18 (C) "HEALTH PROFESSIONAL" MEANS AN INDIVIDUAL LICENSED,
19 REGISTERED, OR OTHERWISE AUTHORIZED TO ENGAGE IN THE PRACTICE OF A
20 HEALTH PROFESSION UNDER PARTS 161 TO 182, EXCEPT THAT HEALTH
21 PROFESSIONAL DOES NOT INCLUDE A DENTIST LICENSED, REGISTERED, OR
22 OTHERWISE AUTHORIZED TO ENGAGE IN THE PRACTICE OF DENTISTRY UNDER
23 PART 166.