

**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.**

