

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4131

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
by amending section 3476 (MCL 500.3476), as amended by 2020 PA 97.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3476. (1) An insurer that delivers, issues for delivery,
2 or renews in this state a health insurance policy shall not require
3 face-to-face contact between a health care professional and a
4 patient for services appropriately provided through telemedicine,
5 as determined by the insurer. **An insurer described in this**
6 **subsection shall not require a health care professional to provide**
7 **services for a patient through telemedicine unless the services are**
8 **contractually required per the terms of a contract between the**
9 **insurer and an affiliated provider or a third-party vendor for**

1 **telemedicine first or telemedicine-only products, and clinically**
2 **appropriate as determined by the health care professional.**

3 Telemedicine services must be provided by a health care
4 professional who is licensed, registered, or otherwise authorized
5 to engage in ~~his or her~~ **the health care professional's** health care
6 profession in the state where the patient is located. Telemedicine
7 services are subject to all terms and conditions of the health
8 insurance policy agreed ~~upon~~ **on** between the policy holder and the
9 insurer, including, but not limited to, required copayments,
10 coinsurances, deductibles, and approved amounts. **If a service is**
11 **provided through telemedicine under this section, the insurer shall**
12 **provide at least the same coverage for that service as if the**
13 **service involved face-to-face contact between the health care**
14 **professional and the patient.**

15 (2) As used in this section:

16 (a) After December 31, 2017, "insurer" includes a nonprofit
17 dental care corporation operating under 1963 PA 125, MCL 550.351 to
18 550.373.

19 (b) "Telemedicine" means the use of an electronic media to
20 link patients with health care professionals in different
21 locations. To be considered telemedicine under this section, the
22 health care professional must be able to examine the patient via a
23 health insurance portability and accountability act of 1996, Public
24 Law 104-191, compliant, secure interactive audio or video, or both,
25 telecommunications system, or through the use of store and forward
26 online messaging.

27 Enacting section 1. Section 3476 of the insurance code of
28 1956, 1956 PA 218, MCL 500.3476, as amended by this amendatory act,
29 applies to health insurance policies delivered, executed, issued,

1 amended, adjusted, or renewed in this state, or outside of this
2 state if covering residents of this state, beginning on the
3 effective date of this amendatory act.