

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 449

A bill to amend 1939 PA 280, entitled  
"The social welfare act,"  
(MCL 400.1 to 400.119b) by adding section 108b.

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

1           **Sec. 108b. The department shall establish focused policies and**  
2 **promulgate focused rules for complex rehabilitation technology**  
3 **products and services. The focused policies and rules must take**  
4 **into consideration the individually configured nature of complex**  
5 **rehabilitation technology and the broad range of services necessary**  
6 **to meet the unique medical and functional needs of an individual**  
7 **with complex medical needs by doing all of the following:**

8           **(a) Designating specific HCPCS billing codes for complex**  
9 **rehabilitation technology and any new codes in the future as**

1 appropriate.

2 (b) Establishing specific supplier standards for a company or  
3 entity that provides complex rehabilitation technology and  
4 restricting providing complex rehabilitation technology to only a  
5 qualified complex rehabilitation technology supplier or an  
6 individual, company, or entity approved by the department, but only  
7 if a qualified complex rehabilitative technology supplier is  
8 unavailable.

9 (c) Requiring a complex needs patient receiving a complex  
10 rehabilitation manual wheelchair, power wheelchair, or seating  
11 component to be evaluated by the following:

12 (i) A qualified health care professional.

13 (ii) A qualified complex rehabilitation technology  
14 professional. If a qualified complex rehabilitation professional is  
15 not available, the following apply:

16 (A) A qualified health care professional may perform the  
17 evaluation described under this subdivision and document the  
18 justification or medical necessity for the equipment and services  
19 being prescribed.

20 (B) A durable medical equipment supplier or individual  
21 approved by the department may deliver the equipment described  
22 under this subdivision under the direction of a qualified health  
23 care professional. Delivery of the equipment described under this  
24 subdivision must be coordinated with a qualified health care  
25 professional.

26 (d) Maintaining payment policies and rates for complex  
27 rehabilitation technology to ensure payment amounts are adequate to  
28 provide complex needs patients with access to those items. These  
29 policies and rates must take into account the significant

1 resources, infrastructure, and staff needed to appropriately  
2 provide complex rehabilitation technology to meet the unique needs  
3 of a complex needs patient.

4 (e) Exempting the related complex rehabilitation technology  
5 HCPCS billing codes from inclusion in bidding, selective  
6 contracting, or similar initiative.

7 (f) Requiring that managed care Medicaid plans adopt the  
8 regulations and policies outlined in this act and include these  
9 regulations and policies in their contracts with qualified complex  
10 rehabilitation technology suppliers.

11 (g) Making other changes as needed to protect access to  
12 complex rehabilitation technology for complex needs patients.

13 Enacting section 1. This amendatory act does not take effect  
14 unless Senate Bill No. 450 of the 102nd Legislature is enacted into  
15 law.