

# SENATE BILL No. 954

February 1, 2000, Introduced by Senators KOIVISTO, A. SMITH, DINGELL, EMERSON, DE BEAUSSAERT, BYRUM and MURPHY and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21052a (MCL 333.21052a), as added by 1997 PA 67.

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

1       Sec. 21052a. (1) A health maintenance organization shall  
2 not prohibit or discourage a health professional from advocating  
3 on behalf of an enrollee for appropriate medical treatment  
4 options pursuant to the grievance procedure in section 21034 or  
5 21035 or from discussing with an enrollee or provider any of the  
6 following:

- 7       (a) Health care treatments and services.
- 8       (b) Quality assurance plans required by law, if applicable,

9 INCLUDING WHETHER OR NOT THE HEALTH MAINTENANCE ORGANIZATION

10 MEETS THOSE QUALITY ASSURANCE PLANS.

1 (c) The financial relationships between the health  
2 maintenance organization and the health professional including  
3 all of the following as applicable:

4 (i) Whether a fee-for-service arrangement exists, under  
5 which the provider is paid a specified amount for each covered  
6 service rendered to the participant.

7 (ii) Whether a capitation arrangement exists, under which a  
8 fixed amount is paid to the provider for all covered services  
9 that are or may be rendered to each covered individual or  
10 family.

11 (iii) Whether payments to providers are made based on stan-  
12 dards relating to cost, quality, or patient satisfaction.

13 (2) A HEALTH MAINTENANCE ORGANIZATION SHALL NOT PROHIBIT OR  
14 DISCOURAGE A HEALTH PROFESSIONAL FROM TALKING TO THE DEPARTMENT  
15 OR THE COMMISSIONER ABOUT DEFICIENCIES IN THE HEALTH MAINTENANCE  
16 ORGANIZATION'S QUALITY ASSURANCE PLANS.