

HOUSE BILL No. 4743

May 8, 2001, Introduced by Reps. Adamini, Minore, Bovin, Neumann, Rich Brown, Gielegem, Kolb, Jacobs, Dennis, Hale, Bogardus, Clark, Daniels, Rison and Lemmons and referred to the Committee on Insurance and Financial Services.

A bill to amend 1980 PA 350, entitled
"The nonprofit health care corporation reform act,"
(MCL 550.1101 to 550.1704) by adding section 210a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 210A. A HEALTH CARE CORPORATION OBLIGATED TO PAY BENE-
2 FITS OR CLAIMS UNDER THIS ACT HAS A DUTY TO DEAL FAIRLY AND IN
3 GOOD FAITH WITH A MEMBER CLAIMING THE BENEFITS. A HEALTH CARE
4 CORPORATION THAT BREACHES THIS DUTY TO DEAL FAIRLY AND IN GOOD
5 FAITH IS LIABLE FOR COMPENSATORY, CONSEQUENTIAL, AND EXEMPLARY
6 DAMAGES PROXIMATELY CAUSED BY THE BREACH.