

# Legislative Analysis

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## HEALTH INSURANCE: CONSCIENTIOUS REFUSAL TO OFFER OR PROVIDE HEALTH BENEFIT

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**House Bills 4745 and 4746**

**Sponsor: Rep. Scott Hummel**

**Committee: Insurance**

**Complete to 2-21-06**

### A SUMMARY OF HOUSE BILLS 4745 AND 4746 AS INTRODUCED 5-10-05

The bills would allow commercial health insurance companies, health maintenance organizations (HMOs), and Blue Cross and Blue Shield of Michigan to refuse to offer or provide a health care benefit on ethical, moral, or religious grounds as reflected in its articles of incorporation or bylaws or by an adopted mission statement.

House Bill 4745 would amend the Nonprofit Health Care Corporation Reform Act (MCL 550.1409a), which applies to BCBSM. House Bill 4746 would amend the Insurance Code (MCL 500.3406s) to apply to commercial insurers and HMOs.

A refusal to offer or provide a health care benefit could not be a basis for (1) civil, criminal, or administrative liability; or (2) eligibility discrimination against the entity in providing a contract, policy, or certificate, unless offering or providing the benefit was expressly required.

The bill also would specify, however, that an insurer, HMO, or BCBSM could not refuse to offer or provide a benefit if the benefit was specifically covered under a contract, policy, or certificate.

### **FISCAL IMPACT:**

There is no fiscal impact on the State of Michigan or its local units of government.

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