

# HOUSE BILL No. 4904

June 9, 2005, Introduced by Reps. Hildenbrand, Hune, Gaffney, Stahl, Sheen, Marleau, Mortimer, Emmons, Robertson and Vander Veen and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled  
"The insurance code of 1956,"  
by amending section 3109a (MCL 500.3109a).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 3109a. (1) An insurer providing personal protection  
2 insurance benefits shall offer ~~—, at appropriately reduced premium~~  
3 ~~rates, deductibles and exclusions reasonably related~~ A POLICY THAT  
4 PROVIDES FOR PERSONAL PROTECTION INSURANCE BENEFITS TO BE SECONDARY  
5 to other health and accident coverage on the ~~—insured—~~ INSURED~~S~~.  
6 ~~The deductibles~~ DEDUCTIBLES and exclusions ~~required to be offered~~  
7 ~~by this section shall be subject to prior approval by the~~  
8 ~~commissioner and shall apply only to benefits payable~~ REASONABLY  
9 RELATED TO AVAILABLE HEALTH AND ACCIDENT COVERAGE MAY BE OFFERED.

1 COVERAGE AND DEDUCTIBLES UNDER THIS SUBSECTION APPLY to the person  
2 named in the policy, ~~the~~ HIS OR HER spouse, ~~of the insured~~ and  
3 any relative of either domiciled in the same household.

4 (2) AN INSURER PROVIDING PERSONAL PROTECTION INSURANCE  
5 BENEFITS MAY OFFER A POLICY THAT PROVIDES FOR PERSONAL PROTECTION  
6 INSURANCE BENEFITS TO BE PRIMARY TO OTHER HEALTH AND ACCIDENT  
7 COVERAGE ON THE INSURED. COVERAGE UNDER THIS SUBSECTION APPLIES TO  
8 THE PERSON NAMED IN THE POLICY, HIS OR HER SPOUSE, AND ANY RELATIVE  
9 OF EITHER DOMICILED IN THE SAME HOUSEHOLD.

10 (3) IF SUBSECTION (1) OR (2) DOES NOT APPLY TO AN INJURED  
11 PERSON CLAIMING PERSONAL PROTECTION INSURANCE BENEFITS, PERSONAL  
12 PROTECTION INSURANCE BENEFITS SHALL BE SECONDARY TO OTHER HEALTH  
13 AND ACCIDENT COVERAGE AVAILABLE TO THAT PERSON.

14 (4) AN INSURER PROVIDING PERSONAL PROTECTION INSURANCE  
15 BENEFITS MAY OFFER, AT APPROPRIATELY REDUCED PREMIUM RATES, A  
16 DEDUCTIBLE OF A SPECIFIED DOLLAR AMOUNT. THIS DEDUCTIBLE MAY BE  
17 APPLICABLE TO ALL OR ANY SPECIFIED TYPES OF PERSONAL PROTECTION  
18 INSURANCE BENEFITS BUT SHALL APPLY ONLY TO BENEFITS PAYABLE TO THE  
19 PERSON NAMED IN THE POLICY, HIS OR HER SPOUSE, AND ANY RELATIVE OF  
20 EITHER DOMICILED IN THE SAME HOUSEHOLD.

21 (5) AN INSURER PROVIDING PERSONAL PROTECTION INSURANCE  
22 BENEFITS MAY OFFER, IN CONNECTION WITH THOSE BENEFITS, PREFERRED  
23 PROVIDER, MANAGED CARE, OR SIMILAR OPTIONS THAT PROVIDE FOR  
24 DEDUCTIBLES OR CO-PAYS. PREFERRED PROVIDER, MANAGED CARE, OR A  
25 SIMILAR OPTION SHALL APPLY TO ANY PERSON CLAIMING PERSONAL  
26 PROTECTION INSURANCE BENEFITS UNDER THE POLICY.

27 (6) A PERSON SHALL NOT RECOVER DUPLICATE BENEFITS FOR THE SAME

1 EXPENSES OR LOSSES INCURRED.