

HOUSE BILL No. 4059

January 22, 2009, Introduced by Rep. Lemmons and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 2110c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2110C. (1) AN AUTOMOBILE INSURANCE POLICY AND AN
2 AUTOMOBILE INSURER AND ITS EMPLOYEES, AGENTS, AND ADJUSTERS SHALL
3 NOT UNREASONABLY RESTRICT AN INSURED FROM USING A PARTICULAR HEALTH
4 CARE PROVIDER OR FACILITY FOR HEALTH CARE SERVICES COVERED BY THE
5 POLICY.

6 (2) AN AUTOMOBILE INSURER SHALL DISCLOSE, PRIOR TO OR AT THE
7 TIME A CLAIM IS FILED WITH THE INSURER, WHETHER THE INSURER HAS AN
8 AGREEMENT WITH ANY HEALTH CARE PROVIDER OR FACILITY TO PROVIDE
9 HEALTH CARE SERVICES TO AN INSURED AND SHALL INFORM AN INSURED THAT
10 HE OR SHE IS UNDER NO OBLIGATION TO USE A PARTICULAR HEALTH CARE
11 PROVIDER OR FACILITY.

1 (3) THE OFFICE OF FINANCIAL AND INSURANCE REGULATION SHALL
2 DEVELOP A PLAN WHEREBY THE OFFICE INFORMS CONSUMERS OF THEIR RIGHTS
3 REGARDING INSURANCE COVERAGE OF HEALTH CARE SERVICES AND OF THE
4 INSURED'S ABILITY TO REPORT VIOLATIONS OF THEIR RIGHTS TO THE
5 OFFICE OF FINANCIAL AND INSURANCE REGULATION THROUGH THE OFFICE'S
6 TOLL-FREE TELEPHONE NUMBER OR WEBSITE. THE PLAN SHALL BE DEVELOPED
7 AND SUBMITTED TO THE SENATE AND HOUSE OF REPRESENTATIVES STANDING
8 COMMITTEES ON INSURANCE ISSUES NOT LATER THAN 6 MONTHS AFTER THE
9 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION AND
10 SHALL BE OPERATIONAL NOT LATER THAN 9 MONTHS AFTER THE EFFECTIVE
11 DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.