

HOUSE BILL No. 6085

May 29, 2018, Introduced by Rep. LaFave 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 3406u.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 3406U. (1) AN INSURER PROVIDING A HEALTH POLICY**
2 **DELIVERED, ISSUED FOR DELIVERY, OR RENEWED IN THIS STATE SHALL**
3 **OFFER COVERAGE FOR PROSTHETIC DEVICES AND COMPONENTS AND FOR THEIR**
4 **REPAIR, FITTING, AND REPLACEMENT IF DETERMINED MEDICALLY NECESSARY**
5 **BY THE INSURED'S TREATING PHYSICIAN.**

6 **(2) COVERAGE UNDER THIS SECTION IS NOT SUBJECT TO ANY OF THE**
7 **FOLLOWING:**

8 **(A) AN ANNUAL OR LIFETIME DOLLAR MAXIMUM OTHER THAN THE ANNUAL**
9 **OR LIFETIME DOLLAR MAXIMUM THAT APPLIES IN THE AGGREGATE TO ALL**
10 **ITEMS AND SERVICES COVERED UNDER THE HEALTH INSURANCE POLICY.**

1 (B) DOLLAR LIMITS, DEDUCTIBLES, OR COPAYMENT PROVISIONS THAT
2 ARE GREATER THAN THOSE FOR PHYSICAL ILLNESS GENERALLY.

3 (C) IF THE PROSTHETIC DEVICE OR SERVICE IS PROVIDED BY AN OUT-
4 OF-NETWORK PROVIDER, COINSURANCE IN EXCESS OF 30% OF THE INSURER'S
5 ALLOWABLE CHARGE FOR THE PROSTHETIC DEVICE OR SERVICE WHEN THE
6 DEVICE OR SERVICE IS PROVIDED BY AN IN-NETWORK PROVIDER.

7 (3) AN INSURER SHALL NOT APPLY AMOUNTS PAID FOR PROSTHETIC
8 DEVICES TO ANY ANNUAL OR LIFETIME DOLLAR MAXIMUM APPLICABLE TO
9 OTHER DURABLE MEDICAL EQUIPMENT COVERED UNDER THE HEALTH INSURANCE
10 POLICY OTHER THAN AN ANNUAL OR LIFETIME DOLLAR MAXIMUM THAT APPLIES
11 IN THE AGGREGATE TO ALL ITEMS AND SERVICES COVERED UNDER THE HEALTH
12 INSURANCE POLICY.

13 (4) COVERAGE UNDER THIS SECTION DOES NOT INCLUDE REPAIR AND
14 REPLACEMENT DUE TO INSURED OR ENROLLEE NEGLIGENCE, MISUSE, OR ABUSE OR
15 TO PROSTHETIC DEVICES DESIGNED PRIMARILY FOR AN ATHLETIC PURPOSE.

16 (5) AS USED IN THIS SECTION:

17 (A) "COMPONENT" MEANS THE MATERIALS AND EQUIPMENT NEEDED TO
18 ENSURE THE COMFORT AND FUNCTIONING OF A PROSTHETIC DEVICE.

19 (B) "LIMB" MEANS AN ARM, HAND, LEG, OR FOOT OR ANY PORTION OF
20 AN ARM, HAND, LEG, OR FOOT.

21 (C) "PROSTHETIC DEVICE" MEANS AN ARTIFICIAL DEVICE TO REPLACE,
22 IN WHOLE OR IN PART, A LIMB.

23 Enacting section 1. This amendatory act applies to policies
24 delivered, issued for delivery, renewed, or extended on or after
25 January 1, 2019 or if any term of the policy is changed or the
26 premium for the policy is adjusted on or after January 1, 2019.