

SENATE BILL NO. 449

June 28, 2023, Introduced by Senators DALEY and IRWIN and referred to the Committee on Health Policy.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
(MCL 400.1 to 400.119b) by adding section 108b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 108b. The department shall establish focused policies and**
2 **promulgate focused rules for complex rehabilitation technology**
3 **products and services. The focused policies and rules must take**
4 **into consideration the individually configured nature of complex**
5 **rehabilitation technology and the broad range of services necessary**

1 to meet the unique medical and functional needs of an individual
2 with complex medical needs by doing all of the following:

3 (a) Designating specific HCPCS billing codes for complex
4 rehabilitation technology and any new codes in the future as
5 appropriate.

6 (b) Establishing specific supplier standards for a company or
7 entity that provides complex rehabilitation technology and
8 restricting providing complex rehabilitation technology to only a
9 qualified complex rehabilitation technology supplier or an
10 individual, company, or entity approved by the department, but only
11 if a qualified complex rehabilitative technology supplier is
12 unavailable.

13 (c) Requiring a complex needs patient receiving a complex
14 rehabilitation manual wheelchair, power wheelchair, or seating
15 component to be evaluated by both of the following:

16 (i) A qualified health care professional.

17 (ii) A qualified complex rehabilitation technology
18 professional.

19 (d) Maintaining payment policies and rates for complex
20 rehabilitation technology to ensure payment amounts are adequate to
21 provide complex needs patients with access to those items. These
22 policies and rates must take into account the significant
23 resources, infrastructure, and staff needed to appropriately
24 provide complex rehabilitation technology to meet the unique needs
25 of a complex needs patient.

26 (e) Exempting the related complex rehabilitation technology
27 HCPCS billing codes from inclusion in bidding, selective
28 contracting, or similar initiative.

29 (f) Requiring that managed care Medicaid plans adopt the

1 regulations and policies outlined in this act and include these
2 regulations and policies in their contracts with qualified complex
3 rehabilitation technology suppliers.

4 (g) Making other changes as needed to protect access to
5 complex rehabilitation technology for complex needs patients.

6 Enacting section 1. This amendatory act does not take effect
7 unless Senate Bill No. 450 of the 102nd Legislature is enacted into
8 law.