

THE HEALTH BENEFIT AGENT ACT (EXCERPT)
Act 252 of 1986

550.1014 Suspension, revocation, refusal to grant, or refusal to renew accident and health insurance license; grounds; notice; hearing; summary suspension; subpoenas.

Sec. 14.

(1) The commissioner, after notice and opportunity for a hearing, may suspend or revoke the accident and health insurance license of an agent who violates any provision of this act.

(2) After notice and opportunity for a hearing, the commissioner may refuse to grant or renew an accident and health insurance license to act as an agent if he or she determines by a preponderance of the evidence, that it is probable that the business or primary occupation of the applicant will give rise to coercion, indirect rebating of commissions, or other practices in the sale of health benefits which are prohibited by law.

(3) Without prior hearing, the commissioner may order summary suspension of an accident and health insurance license if he or she finds that protection of the public requires emergency action and incorporates this finding in his or her order. The suspension shall be effective on the date specified in the order or upon service of a certified copy of the order on the licensee, whichever is later. If requested, the commissioner shall conduct a hearing on the suspension within a reasonable time but not later than 20 days after the effective date of the summary suspension unless the person whose license is suspended requests a later date. At the hearing, the commissioner shall determine if the suspension should be continued or if the suspension should be withdrawn, and, if proper notice is given, may determine if the license should be revoked. The commissioner shall announce his or her decision within 30 days after conclusion of the hearing. The suspension shall continue until the decision is announced.

(4) The commissioner, or his or her designated deputy, may issue subpoenas with the approval of a circuit court judge of the circuit court of Ingham county to require the attendance and testimony of witnesses and the production of documents necessary to the conduct of the hearing and may designate an employee of the insurance bureau to make service thereof. The subpoenas issued by the commissioner, or his or her designated deputy, may be enforced upon application by them to the circuit court of Ingham county by proceedings in contempt thereof, as provided by law.

History: 1986, Act 252, Eff. Mar. 31, 1987

Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the insurance bureau and the commissioner of insurance to the commissioner of the office of financial and insurance services and the office of financial and insurance services, see E.R.O. No. 2000-2, compiled at MCL 445.2003 of the Michigan compiled laws.