

# HOUSE BILL No. 4322

February 21, 2001, Introduced by Rep. Tabor and referred to the Committee on Senior Health, Security and Retirement.

A bill to amend 1956 PA 218, entitled  
"The insurance code of 1956,"  
by amending section 3913 (MCL 500.3913), as added by 1992 PA 84.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 3913. (1) A long-term care insurance policy shall not  
2 limit or exclude services for home health care benefits in any of  
3 the following ways:

4       (a) By requiring that the insured would need skilled care in  
5 a skilled nursing facility if home health care services were not  
6 provided.

7       (b) By requiring that the insured first or simultaneously  
8 receive nursing or therapeutic services in a home or community  
9 setting before home health care services are covered.

10       (c) By limiting eligible services to services provided by  
11 registered nurses or licensed practical nurses.

1 (d) By requiring that a nurse or therapist provide services  
2 covered by the policy that can be provided by a home health aide  
3 or other licensed or certified home care worker acting within the  
4 scope of his or her licensure or certification.

5 (e) By requiring that the insured have an acute condition  
6 before home health care services are covered.

7 (f) By limiting benefits to services provided by  
8 medicare-certified agencies or providers.

9 (2) Home health care coverage may be applied to the nonhome  
10 health care benefits provided in the policy when determining max-  
11 imum coverage under the terms of the policy.

12 (3) A LONG-TERM CARE INSURANCE POLICY THAT PROVIDES COVERAGE  
13 FOR HOME CARE SERVICES OR ASSISTED LIVING SERVICES SHALL DEFINE  
14 AND PROVIDE A DETAILED EXPLANATION IN PLAIN ENGLISH OF WHAT HOME  
15 CARE SERVICES OR ASSISTED LIVING SERVICES ARE COVERED. A  
16 LONG-TERM CARE INSURANCE POLICY THAT PROVIDES COVERAGE FOR  
17 ASSISTED LIVING FACILITY STAYS SHALL DEFINE IN PLAIN ENGLISH WHAT  
18 ASSISTED LIVING FACILITIES ARE COVERED.