

HOUSE BILL No. 5314

November 13, 2003, Introduced by Rep. Julian and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
by amending section 3109a (MCL 500.3109a).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3109a. (1) An insurer providing personal protection
2 insurance benefits shall offer ~~—, at appropriately reduced~~
3 ~~premium rates, deductibles and exclusions reasonably related~~ a
4 **policy that provides for personal protection insurance benefits**
5 **to be secondary** to other health and accident coverage on the
6 ~~insured~~ **insureds**. ~~The deductibles~~ **Deductibles** and exclusions
7 ~~required to be offered by this section shall be subject to prior~~
8 ~~approval by the commissioner and shall apply only to benefits~~
9 ~~payable~~ **reasonably related to available health and accident**
10 **coverage may be offered. Coverage and deductibles under this**
11 **subsection apply** to the person named in the policy, ~~the~~ **his or**

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1 her spouse, ~~of the insured~~ and any relative of either domiciled
2 in the same household.

3 (2) An insurer providing personal protection insurance
4 benefits may offer a policy that provides for personal protection
5 insurance benefits to be primary to other health and accident
6 coverage on the insureds. Coverage under this subsection applies
7 to the person named in the policy, his or her spouse, and any
8 relative of either domiciled in the same household.

9 (3) If subsection (1) or (2) does not apply to an injured
10 person claiming personal protection insurance benefits, personal
11 protection insurance benefits shall be secondary to other health
12 and accident coverage available to that person.

13 (4) An insurer providing personal protection insurance
14 benefits may offer, at appropriately reduced premium rates, a
15 deductible of a specified dollar amount. This deductible may be
16 applicable to all or any specified types of personal protection
17 insurance benefits but shall apply only to benefits payable to
18 the person named in the policy, his or her spouse, and any
19 relative of either domiciled in the same household.

20 (5) An insurer providing personal protection insurance
21 benefits may offer, in connection with those benefits, preferred
22 provider, managed care, or similar options that provide for
23 deductibles or co-pays. Preferred provider, managed care, or a
24 similar option shall apply to any person claiming personal
25 protection insurance benefits under the policy.

26 (6) A person shall not recover duplicate benefits for the
27 same expenses or losses incurred.