

**Michigan Academy of Family Physicians
State Health Care Legislation-Key
May, 2006**

SB-91 – School Nutrition (similar to HB 4097)

Sponsor: Senator Virg Bernero

Senate Committee: Health Policy

BRIEF SUMMARY: This bill was originally assigned to the Senate Education Committee, but reassigned to the Health Policy Committee. It requires public schools to adopt and implement new measures for school nutrition. For an elementary or middle school, the policy shall prohibit the sale or distribution at school at any time of a food or beverage that meets any of the following: (i) is classified by the United States department of agriculture as a food of minimal nutritional value (fmnv), (ii) more than 30% of the calories are from fat or more than 10% of the calories are from saturated fat, (iii) contains 40% or more sugar or other sweetener by volume, (iv) is a juice drink containing less than 50% fruit or vegetable juice. For a high school, the policy shall prohibit the sale or distribution of a food or beverage described in subdivision (a) at school during school hours.

MAFP Position: Support

Status: Senate Committee

SB-229 – Mental Health Coverage – Health Care Corporation

SB-230 – Mental Health Coverage – Health Care Insurer

Sponsor: Senator Hammerstrom

Senate Committee: Health Policy

BRIEF SUMMARY: Requires health care corporations provide coverage for certain mental health and substance abuse treatment that is not more restrictive than coverage for medical treatment.

MAFP Position: Support

Status: Senate Committee

SB-297 – Motorcycle Helmet Repeal (same as HB 4505)

Sponsor: Senator Cropsey

Senate Committee: Judiciary

BRIEF SUMMARY: Repeals the motorcycle helmet law for persons 21 and older who have completed a motorcycle safety course and have been licensed to operate a motorcycle for more than 2 years.

MAFP Position: Oppose

Status: Passed by the Senate on 3/17/05 – in House Transportation Committee

SB-483 – Chiropractors

Sponsor: Senator Kuipers

Senate Committee: Health Policy

BRIEF SUMMARY: Revises the scope of practice for chiropractors. The terminology may be very broad particularly dealing with the body physiology.

MAFP Position: Oppose

Status: Senate Committee

SB-720 – Immunization Treatments

Sponsor: Senator Kuipers

Senate Committee: Health Policy

BRIEF SUMMARY: Prohibits using immunizing agents that contain more than 1 microgram of mercury or compounds of mercury, including but not limited to, thimerosal.

MAFP Position: Oppose as written – offer substitute language

Status: Senate Committee

HB-4084 – Streamline Claims Processing

Sponsor: Rep. Taub

House Committee: Insurance

BRIEF SUMMARY: Reduce unnecessary administrative burdens to remove costs from the health care system. The bill seeks to restore accountability to insurance companies by requiring claims processors to include their contact information on any claim that is rejected by the insurer.

MAFP Position: Support

Status: House Committee

HB-4097 – School Nutrition (similar to SB 91)

Sponsor: Rep. Accavitti

House Committee: Education

BRIEF SUMMARY: This bill prohibits the sale of certain foods by vending machine or other food sales in schools. It provides for healthy eating in schools.

MAFP Position: Support

Status: House Committee

HB-4505 – Motorcycle Helmet Exceptions (same as SB 297)

Sponsor: Representative Casperson

House Committee: Transportation

BRIEF SUMMARY: This bill provides exceptions to requirements of motorcycle operators and passengers to wear crash helmets under certain circumstances.

MAFP Position: Oppose

Status: House Committee

HB-4773 – Drug Liability Immunity (identical to HB 4811)

Sponsor: Rep. Byrum

BRIEF SUMMARY: Rescinds immunity from liability for drugs that have been approved by the federal food and drug administration. Concern is that in addition to pharmaceutical companies, physicians also could be vulnerable to lawsuits under this bill.

HB-4811 – Drug Liability

Sponsor: Rep. Drolet

BRIEF SUMMARY: Allows liability suits brought against drug manufacturers for drugs that have been approved by the federal food and drug administration.

HB-5071 – Drug Liability

Sponsor: Rep. Donigan

BRIEF SUMMARY: Clarifies liability in unfair trade practices law for inaccurate representations concerning risks of certain drugs, medications and supplements.

HB-5139 – Drug Liability

Sponsor: Rep. McDowell

BRIEF SUMMARY: Permits drug liability lawsuits filed within three years of repeal of Food and Drug Administration approval defense.

House Committee: Commerce

MAFP Position: Opposed

Status: Notice of intent to discharge – 9/7/05 – Discharge approved 9/8/05 – Placed on Second Reading

HB-4793 – Mental Health Insurance Coverage

Sponsor: Rep. Amos

HB-4794 – Mental Health Insurance Coverage

Sponsor: Rep. Kolb

House Committee: Insurance

BRIEF SUMMARY: This bill provides that insurance coverage for certain mental health and substance abuse treatment cannot be more restrictive than coverage for medical treatment.

MAFP Position: Support

Status: House Committee

HB-4859 – Physical Education

Sponsor: Rep. Mortimer

House Committee: Education

BRIEF SUMMARY: Provides for minimum requirements for health and physical education in public education curricula.

MAFP Position: Support

Status: House Committee

HB-4981 – Michigan Consumer Protection Act

Sponsor: Rep. Lipsey

House Committee: Commerce

BRIEF SUMMARY: Could broaden the language of the Michigan Consumer Protection Act to be used as an alternative legal argument in cases that in the past would have been tried as medical liability cases. This would mean that all safeguards, protections and requirements (e.g. affidavit of merit, caps on non-economic damages, requirements for expert witnesses, etc.) that currently exist to regulate medical liability cases would not apply in cases tried using the Michigan Consumer Protection Act statute.

MAFP Position: Oppose

Status: House Committee

HB-5051 – Helmetless Endorsement

Sponsor: Rep. Farrah

House Committee: Transportation

BRIEF SUMMARY: Requires a no-helmet endorsement on license of motorcyclists who meet criteria for driving without a helmet.

MAFP Position: Oppose

Status: House Committee

HB- 5256 – Malpractice Policy

Sponsor: Rep. Proos

House Committee: Insurance

BRIEF SUMMARY: Provide parameters for cancellation of malpractice insurance policy – requires 90 days notice.

MAFP Position: Support

Status: House Committee – Passed House 11/29/05

Senate Committee – Placed on Third Reading 3/23/06

Signed by the Governor – 4/18/06

HB-5618 – Physical Therapist Profession

Sponsor: Rep. VanderVeen

House Committee: Health Policy

BRIEF SUMMARY: Provides for standards of practice and ethics and definitions of “physical therapy” and “physical therapy assistant” and clarifies and eliminates prescription requirement under certain circumstances.

MAFP Position: Oppose

Status: House Committee