

**Michigan Office of Administrative Hearings and Rules
Administrative Rules Division (ARD)**

611 W. Ottawa Street
Lansing, MI 48909
Phone: 517-335-8658 Fax: 517-335-9512

REQUEST FOR RULEMAKING (RFR)

1. Department:

Insurance and Financial Services

2. Bureau:

Insurance

3. Promulgation type:

Full Process

4. Title of proposed rule set:

Surprise Medical Billing

5. Rule numbers or rule set range of numbers:

R 500.241 - R 500.265

6. Estimated time frame:

6 months

Name of person filling out RFR:

Julie Agueros

E-mail of person filling out RFR:

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Phone number of person filling out RFR:

517-894-3713

Address of person filling out RFR:

530 W. Allegan St., Lansing, MI 48933

7. Describe the general purpose of these rules, including any problems the changes are intended to address.

These rules implement the provisions of MCL 333.24510 and MCL 333.24511 by doing the following: 1) establishing procedures for the department to review and resolve requests for calculation determinations submitted pursuant to MCL 333.24510; 2) establishing procedures for the department to request documents, materials, or other information necessary to perform calculation reviews and issue determinations under MCL 333.24510; 3) establishing procedures for processing requests for binding arbitration submitted pursuant to MCL 333.24511; and 4) establishing standards for approving arbitrators to provide binding arbitration pursuant to MCL 333.24511.

8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).

Section 24517 of the Public Health Code, 1978 PA 368, MCL 333.24517, grants the Director of the Department of Insurance and Financial Services permissive authority to promulgate rules to implement Sections 24510 and 24511 of the Public Health Code, 1978 PA 368, MCL 333.24510 and MCL 333.24511.

A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).

MCL 333.24510, MCL 333.24511, and MCL 333.24517. Executive Reorganization Order No. 2013-1, MCL 550.991.

B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.

No; rulemaking is permissive under MCL 333.24510 and MCL 333.24511.

9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.

These rules do not conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.

10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?

No.

11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?

No.

12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?

Full Process

13. Please describe the extent to which the rules exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.

These rules do not exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.

14. Do the rules incorporate the recommendations received from the public regarding any complaints or comments regarding the rules? If yes, please explain.

These rules do not incorporate any recommendations received from the public regarding any complaints or comments regarding the rules.

15. If amending an existing rule set, please provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed the regulatory activity covered by the rules since the last evaluation.

Not applicable; these rules do not amend an existing rule set.

16. Are there any changes or developments since implementation that demonstrate there is no continued need for the rules, or any portion of the rules?

Not applicable; these rules do not amend an existing rule set.

17. Is there an applicable decision record (as defined in MCL 24.203(6) and required by MCL 24.239(2))? If so, please attach the decision record.

No