

An initiation of legislation to enact the Fair Medical Prices for Consumers Act. This initiated law would prohibit a health provider from charging a person a higher price for medical goods or services than a price charged to other persons for the same or similar medical goods or services by a certain percentage; and to provide for remedies, damages, and penalties. If not enacted by the Michigan State Legislature in accordance with the Michigan Constitution of 1963, the proposed legislation is to be voted on at the General Election, November 8, 2016.

FOR THE FULL TEXT OF THE PROPOSED LEGISLATION, SEE THE REVERSE SIDE OF THIS PETITION.

We, the undersigned qualified and registered electors, residents in the county of _____, State of Michigan, respectively petition for initiation of legislation.

WARNING - A person who knowingly signs this petition more than once, signs a name other than his or her own, signs when not a qualified and registered elector, or sets opposite his or her signature on a petition, a date other than the actual date the signature was affixed, is violating the provisions of the Michigan election law.

INITIATION OF LEGISLATION

INDICATE CITY OR TOWNSHIP IN WHICH REGISTERED TO VOTE	SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
					MO	DAY	YEAR
CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>	1.						
CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>	2.	SAMPLE PETITION ONLY					
CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>	3.	NOT FOR REPRODUCTION					
CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>	4.						
CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>	5.						
CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>	6.						
CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>	7.						
CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>	8.						
CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>	9.						
CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>	10.						

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the city or township indicated preceding the signature, and the elector was qualified to sign the petition. If at the time of circulating the petition and executing the certificate of circulator the undersigned circulator is not qualified to be a registered elector of this state, he or she agrees that any legal process concerning a petition sheet executed by the circulator served on the secretary of state or a designated agent of the secretary of state has the same effect as if personally served on the circulator.

WARNING - A circulator knowingly making a false statement in the above certificate, a person not a circulator who signs as a circulator, or a person who signs a name other than his or her own as circulator is guilty of a misdemeanor.

Circulator—Do not sign or date certificate until after circulating petition.

(Signature of Circulator)

____/____/____
(Date)

(Printed Name of Circulator)

(City or Township Where Registered or Qualified to be Registered, if a resident of this state)

(Complete Residence Address (Street and Number or Rural Route))

(Zip Code)

INITIATION OF LEGISLATION

An initiation of legislation to enact the Fair Medical Prices for Consumers Act. This initiated law would prohibit a health provider from charging a person a higher price for medical goods or services than a price charged to other persons for the same or similar medical goods or services by a certain percentage; and to provide for remedies, damages, and penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. This act shall be known and may be cited as the "fair medical prices for consumers act".

Sec. 2. This act applies to prices charged by health providers for the provision of medical goods or services.

Sec. 3. Except as otherwise provided in section 4, a health provider shall not charge a consumer an amount for medical goods or services that exceeds 150% of the lowest amount accepted by that provider as payment in full from another consumer for the same or similar medical goods or services. Charges described in subsection 4(1) shall not be used to calculate the lowest amount accepted by a provider under this subsection.

Sec. 4. (1) Section 3 does not apply if the amount charged by a provider is established or limited under state or federal law, including charges under medicaid, medicare or the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941.

(2) Nothing in this act restricts a person from entering into a contract for the provision of medical goods or services that sets a payment rate, amount, or mechanism for the medical goods or services.

(3) Section 3 does not apply to a contract for the provision of medical goods or services in effect on the effective date of this act unless the contract expires or is renewed, extended, or amended.

Sec. 5. A consumer who suffers a loss because of a violation of this act may bring a civil action to recover 3 times the amount of the consumer's actual damages or \$1,000.00, whichever is greater, and costs and reasonable attorney fees.

Sec. 6. As used in this act:

(a) "Consumer" means a person responsible for payment to a health provider of amounts charged by the provider for medical goods or services.

(b) "Health facility" includes all of the following:

(i) A facility or agency licensed or authorized under parts 201 to 217 of the public health code, 1978 PA 368, MCL 333.20101 to 333.21799e.

(ii) A health facility or agency under section 20106 of the public health code, 1978 PA 368, MCL 333.20106.

(iii) A psychiatric hospital, psychiatric unit, partial hospitalization psychiatric program, or center for persons with disabilities operated by the department of community health or certified or licensed under the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106.

(iv) A facility providing outpatient physical therapy services, including speech pathology services.

(v) A kidney disease treatment center, including a freestanding hemodialysis unit.

(vi) An ambulatory health care facility.

(vii) A tertiary health care service facility.

(viii) A substance use disorder service program licensed under part 62 of the public health code, 1978 PA 368, MCL 333.6230 to 333.6251.

(ix) An outpatient psychiatric clinic.

(x) A home health agency.

(c) "Health provider" or "provider" includes all of the following:

(i) A health facility.

(ii) A health professional licensed, certified, or registered under parts 62 or 161 to 187 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

(iii) A person acting for a person under subdivision (i) or (ii).

(d) "Medicaid" means the program for medical assistance provided for by title XIX of the social security act, 42 USC 1396 to 1396w-5.

(e) "Medical goods or services" means any care, service, device, or procedure provided by a health provider to diagnose, treat, or maintain a patient's physical condition, or that affects the structure or a function of the human body.

(f) "Medicare" means the federal medicare program established under title XVIII of the social security act, 42 USC 1395 to 1395kkk-1.

(g) "Person" means an individual or a public or private entity.

Enacting Section 1. If any part or parts of this act are found to be in conflict with the State Constitution of 1963, the United States Constitution, or federal law, this act shall be implemented to the maximum extent that the State Constitution of 1963, the United States Constitution, and federal law permit. Any provision held invalid or inoperative shall be severable from the remaining portions of this act.