

HOUSE BILL NO. 5369

November 14, 2023, Introduced by Reps. Whitsett, Neeley, Rogers, Scott, Miller, Rheingans, Wozniak, Martus, Brabec, Price, Grant, Koleszar, Hope, Paiz, Farhat and Pohutsky and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5823 and 5825 (MCL 333.5823 and 333.5825), as amended by 2015 PA 91.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5823. If a child or youth with special health care needs
2 is identified, a person authorized by rule may apply to the
3 department for eligibility for services under this part. The
4 department shall investigate and secure medical evidence as to the

1 condition of the child. **If the application identifies a child who**
 2 **is a child reported to the department under section 5474, the child**
 3 **is considered to be medically eligible for services under this part**
 4 **and the department shall not investigate.**

5 Sec. 5825. ~~Upon~~**On** completion of the medical investigation
 6 under section 5823, **if applicable**, the department shall promptly
 7 make a determination of medical eligibility. If the department
 8 determines that the child or youth with special health care needs
 9 is medically eligible for services under this part, the department
 10 shall perform a financial assessment to determine cost sharing
 11 responsibilities. The department shall authorize the transportation
 12 of an eligible child or youth with special health care needs to a
 13 provider of services approved and designated by the department. In
 14 consultation with the family, the department may facilitate
 15 transfer of a child or youth with special health care needs to a
 16 provider for treatment better adapted to the child's needs. In
 17 making referrals under this part the department shall not
 18 discriminate against health professionals qualified to render care.

19 Enacting section 1. This amendatory act does not take effect
 20 unless all of the following bills of the 102nd Legislature are
 21 enacted into law:

22 (a) Senate Bill No.____ or House Bill No. 5368 (request no.
 23 01218'23 *).

24 (b) Senate Bill No.____ or House Bill No.____ (request no.
 25 03495'23).