

**Title:** Exempt Physicians Providing Pro Bono Health Care to Uninsured Patients from Legal Action and Insurance Penalties

**Introduced by:** Brian Silver, MD, for the Wayne County Delegation

**Original Author:** Brian Silver, MD

**Referred to:** Reference Committee B

**House Action:** Adopted as Amended

---

Whereas, physicians who currently provide pro bono health care for uninsured patients may face legal action for the care they provide to these same patients, and

Whereas, physicians who currently provide pro bono health care to uninsured patients in their practice site face denial of payment by insurers for other patients (e.g. HMO A discovers that Doctor John Doe provides pro bono care at his site for uninsured patients and then denies payment for all of Doctor Doe's patients covered under HMO A), and

Whereas, physicians who currently provide pro bono health care to uninsured patients in their practice site face potential criminal charges by federal authorities having different billing schemes (e.g. Medicare patients are billed \$80 for a Level 3 visit while the uninsured patient is billed \$0), and

Whereas, pro bono health care may be the only means of diagnosis, prevention, and treatment for a substantial proportion of the population, and

Whereas, the threat of denial of payment and criminal prosecution is currently a deterrent to physicians who wish to provide pro bono health care to uninsured patients at their practice site; therefore be it

**RESOLVED:** That MSMS seek policies that would exempt physicians providing pro bono health care to uninsured patients at their practice sites from legal action, including medico-legal and criminal charges stemming from the care of pro bono-treated patients; and be it further

**RESOLVED:** That MSMS seek policies to allow physicians to provide pro bono health care to uninsured patients at their practice sites without a subsequent denial of payment for treatment of insured patients.

---

**WAYS AND MEANS COMMITTEE FISCAL NOTE:** NONE