

An Act

ENROLLED SENATE
BILL NO. 993

By: Dahm of the Senate

and

Moore of the House

An Act relating to health insurance; defining short-term, limited-duration insurance; exempting certain policies from certain law; precluding certain policies from definition; providing benefit limitations for certain policies; requiring certain notice; authorizing offer of additional benefit plans; applying certain act to certain policies; providing for codification; and providing an effective date.

SUBJECT: Health insurance

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4419 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. For the purposes of this section "short-term, limited-duration insurance" or "STLDI" means individual health insurance coverage provided pursuant to a contract with an insurer that has an expiration date specified in the contract that is less than twelve (12) months after the original effective date of the contract and, taking into account renewals or extensions, has a duration of no longer than thirty-six (36) months in total.

B. An STLDI policy shall not be subject to the continuation provisions of the Health Insurance Portability and Accountability Act of 1996, and shall be exempt from medical loss ratio calculations associated with individual accident and health insurance issued within this state.

C. No STLDI policy shall be deemed to be included under the definition of group accident and health insurance issued or renewed inside or outside of this state and covering persons residing in this state.

D. The benefits provided by an STLDI policy may be limited as follows:

1. An STLDI policy shall not be required to contain one or more of the mandated accident and health insurance benefits otherwise required by Title 36 of the Oklahoma Statutes; and

2. An STLDI policy shall include the definitions of individual accident and health insurance with respect to major medical benefits and standard provisions or rights of coverage.

E. An applicant for an STLDI policy shall be provided, at the time of application and in addition to any notice required by applicable federal law or regulation, a written notice that one or more of the benefits mandated by Oklahoma law is not included in the STLDI policy.

1. The notice shall specify the essential health benefits that are included in the STLDI policy. For purposes of this subsection, "essential health benefits" means those benefits set forth in 42 U.S.C., Section 18022(b).

2. The notice shall specifically list the accident and health insurance benefits otherwise required to be covered by Title 36 of the Oklahoma Statutes that will not be covered.

3. The insurer shall retain a signed copy of this notice on file as a part of the original application as evidence that the insured has acknowledged such notice.

4. Such signed copy may be in original form, electronic file form or in any other reproducible file form as may be consistent with the insurer's method of retaining application copies.

F. An STLDI policy may offer various optional combinations of coverage at additional premiums for each optional benefit offered.

G. STLDI policies issued in Oklahoma shall be subject to the filing requirements of Section 4402 of Title 36 of the Oklahoma Statutes.

H. Any individual insured under an STLDI policy shall be issued an identification card which clearly indicates that the STLDI policy is a limited duration policy not subject to Affordable Care Act requirements.

SECTION 2. This act shall become effective November 1, 2019.

Passed the Senate the 13th day of May, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the 17th day of April, 2019.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____