

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

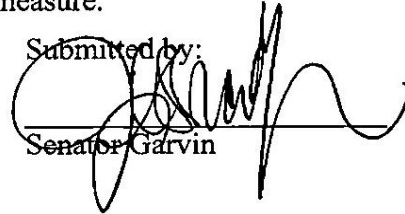
No. 2

COMMITTEE AMENDMENT

(Date)

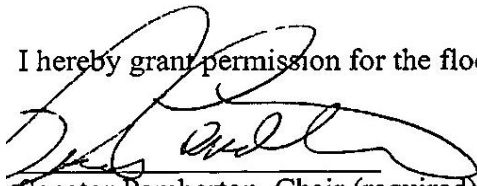
I move to amend House Bill No. 1712 by substituting the attached floor substitute (Request No. 3462) for the title, enacting clause and entire body of the measure.

Submitted by:




Senator Garvin

I hereby grant permission for the floor substitute to be adopted.

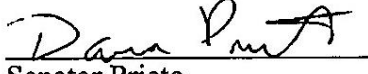


Senator Pemberton, Chair (required)

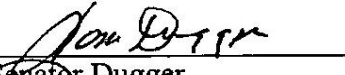
Senator Hamilton

Senator Jata


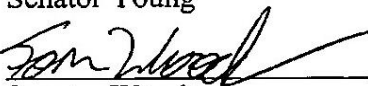
Senator Coleman

Senator Matthews


Senator Prieto



Senator Dugger

Senator Young


Senator Woods



Senator Garvin

Senator Treat, President Pro Tempore

Senator McCortney, Majority Floor Leader

Note: Retirement and Insurance committee majority requires six (6) members' signatures.

Garvin-RD-FS-HB1712
2/20/2024 8:56 AM

(Floor Amendments Only)

Date and Time Filed: 2-21-24 9:10am fd

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED

5 HOUSE BILL NO. 1712

By: Marti and McDugle of the
House

6 and

7 Garvin of the Senate

8
9
10 FLOOR SUBSTITUTE

11 An Act relating to health insurance; defining terms;
12 prohibiting insurers from refusing coverage to an
13 insured under certain circumstances; providing for an
14 insured to seek care from an out-of-network provider
15 under certain circumstances; requiring out-of-network
16 providers to be reimbursed for covered services at
17 the same rate as in-network providers; providing for
18 codification; and declaring an emergency.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 6981 of Title 36, unless there
22 is created a duplication in numbering, reads as follows:

23 A. As used in this section:

24 1. "Durable medical equipment" means equipment as defined
pursuant to Section 375.2 of Title 59 of the Oklahoma Statutes;

1 2. "Health benefit plan" means a health benefit plan as defined
2 pursuant to Section 6060.4 of Title 36 of the Oklahoma Statutes, but
3 shall not include any health benefit plan offered by a contracted
4 entity as defined in Section 4002.2 of Title 56 of the Oklahoma
5 Statutes that provides coverage to members of the state Medicaid
6 program;

7 3. "Health care provider" means a provider as defined pursuant
8 to Section 6571 of Title 36 of the Oklahoma Statutes;

9 4. "Health maintenance organization" or "HMO" means a health
10 maintenance organization as defined pursuant to Section 6902 of
11 Title 36 of the Oklahoma Statutes, but shall not include any health
12 benefit plan offered by a contracted entity as defined in Section
13 4002.2 of Title 56 of the Oklahoma Statutes that provides coverage
14 to members of the state Medicaid program; and

15 5. "Preferred provider organization" or "PPO" means a preferred
16 provider organization as defined pursuant to Section 6054 of Title
17 36 of the Oklahoma Statutes.

18 B. No health benefit plan, HMO, PPO, or other provider network
19 authorized to administer health care coverage in this state shall
20 refuse coverage to an insured for durable medical equipment and
21 supplies as prescribed by a health care provider, regardless of
22 whether they are in-network or out-of-network, unless there is an
23 Oklahoma-licensed in-network provider within a fifteen-mile radius
24

1 of the patient's home address that can provide in-person evaluation
2 for durable medical equipment, supplies, and related services.

3 C. If a health care provider deems it necessary that an insured
4 receive covered durable medical equipment or supplies within twenty-
5 four (24) hours, the insured shall not be subject to drop-shipped
6 orders and may seek such equipment and supplies from any health care
7 provider who can provide the necessary services and supplies within
8 the requested time frame.

9 D. When an insured utilizes an out-of-network health care
10 provider, as described in subsection B of this section, the out-of-
11 network provider shall be reimbursed at the same rate and benefit
12 level for the provided services as an in-network provider for the
13 health benefit plan, HMO, PPO, or other provider network authorized
14 to administer health care coverage in this state.

15 SECTION 2. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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20 59-2-3462 RD 2/21/2024 9:21:21 AM

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