

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

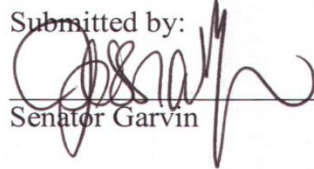
No. 1

COMMITTEE AMENDMENT

(Date)

I move to amend House Bill No. 1712 by substituting the attached floor substitute (Request No. 2136) for the title, enacting clause and entire body of the measure.

Submitted by:



Senator Garvin

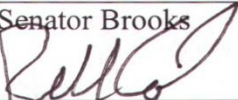
I hereby grant permission for the floor substitute to be adopted.



Senator Montgomery, Chair (required)



Senator Jett

Senator Brooks


Senator Coleman

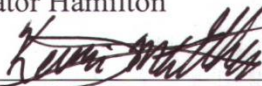


Senator Dugger

Senator Treat, President Pro Tempore



Senator Garvin

Senator Hamilton


Senator Matthews



Senator Prieto

Senator Woods

Senator McCortney, Majority Floor Leader

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

Garvin-RD-FS-HB1712
4/17/2023 11:35 AM

(Floor Amendments Only) Date and Time Filed: 4-17-23 2:25 pm *fd*

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

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 FLOOR SUBSTITUTE

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

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 6971 of Title 36, unless there
21 is created a duplication in numbering, reads as follows:

22 A. As used in this section:

23 1. "Durable medical equipment" means equipment as defined
24 pursuant to paragraph 2 of 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 subsection C of Section 6060.4 of Title 36 of the
3 Oklahoma Statutes;

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

6 4. "Health maintenance organization" or "HMO" means a health
7 maintenance organization as defined pursuant to paragraph 12 of
8 Section 6902 of Title 36 of the Oklahoma Statutes; and

9 5. "Preferred provider organization" or "PPO" means a preferred
10 provider organization as defined pursuant to paragraph 8 of Section
11 6054 of Title 36 of the Oklahoma Statutes.

12 B. No health benefit plan, HMO, PPO, or other provider network
13 authorized to administer health care coverage in this state shall
14 refuse coverage to an insured for durable medical equipment and
15 supplies as prescribed by a health care provider, regardless of
16 whether they are in-network or out-of-network, unless there is an
17 Oklahoma-licensed in-network provider within a fifty-mile radius of
18 the patient's five-digit ZIP code that can provide an in-person
19 evaluation for the prescribed medical equipment or supplies.

20 C. If a health care provider deems it necessary that an insured
21 receive covered medical equipment or supplies within twenty-four
22 (24) hours, a health benefit plan, HMO, or PPO shall cover such
23 equipment and supplies from any health care provider of the
24

1 insured's choosing who can provide the necessary equipment and
2 supplies within the requested timeframe.

3 D. When covered medical equipment or supplies are not available
4 in network, the health benefit plan, HMO, or PPO shall reimburse an
5 out-of-network provider at the same rate and benefit level for the
6 provided equipment or supplies as an in-network provider for the
7 health benefit plan, HMO, PPO, or other provider network authorized
8 to administer health care coverage in this state.

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

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14 59-1-2136 RD 4/27/2023 10:32:39 AM

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