

1 **SENATE FLOOR VERSION**

2 February 20, 2025

3 SENATE BILL NO. 109

By: Stanley of the Senate

4 and

5 Miller of the House

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7  
8 An Act relating to health insurance; defining terms;  
9 requiring coverage of certain genetic testing and  
10 cancer imaging; specifying terms of coverage;  
11 providing certain exclusions; providing for  
12 codification; and providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 6060.5b of Title 36, unless  
16 there is created a duplication in numbering, reads as follows:

17 A. For the purposes of this section:

18 1. "Clinical utility" means clinical utility as defined  
19 pursuant to Section 6060.5a of Title 36 of the Oklahoma Statutes;

20 2. "Evidence-based cancer imaging" means appropriate  
21 preventative screening and imaging supported by evidence;

22 3. "Genetic testing for an inherited mutation" means multi-gene  
23 testing for an inherited mutation associated with an increased risk  
24 of cancer;

1 4. "Health benefit plan" means a health benefit plan as defined  
2 pursuant to Section 6060.4 of Title 36 of the Oklahoma Statutes; and

3 5. "Health care provider" means any physician, hospital, or  
4 other entity or person that is licensed or otherwise authorized in  
5 this state to furnish health care services.

6 B. Any health benefit plan including the Oklahoma Employees  
7 Insurance Plan that is offered, issued, or renewed in this state on  
8 or after the effective date of this act shall provide coverage for:

9 1. Clinical genetic testing for an inherited gene mutation for  
10 individuals with a personal or family history of cancer when such  
11 test provides clinical utility and when ordered or recommended by a  
12 health care provider in accordance with medical and scientific  
13 evidence including, but not limited to:

14 a. the most recent version of the National Comprehensive  
15 Cancer Network (NCCN) clinical practice  
16 recommendations that are Category 2A or higher,

17 b. Centers for Medicare and Medicaid Services national  
18 coverage determinations or Medicare administrative  
19 contractor local coverage determinations, or

20 c. nationally recognized clinical practice guidelines;  
21 and

22 2. Evidence-based cancer imaging for individuals with an  
23 increased risk of cancer when such test provides clinical utility  
24 and when ordered or recommended by a health care provider in

1 accordance with the most recent version of the NCCN clinical  
2 practice recommendations that are Category 2A or higher, or in  
3 accordance with other nationally recognized clinical practice  
4 guidelines.

5 C. Coverage under this section shall not be subject to any  
6 annual deductibles, copayments, or coinsurance limits as established  
7 for all covered benefits under the health benefit plan.

8 D. If application of this section would result in health  
9 savings account ineligibility under Section 223 of the Internal  
10 Revenue Code of 1986, as amended, the provisions of this section  
11 shall only apply to health savings accounts with qualified high  
12 deductible health plans with respect to the deductible of such a  
13 plan after the enrollee has satisfied the minimum deductible.  
14 Provided, however, the provisions of this section shall apply to  
15 items or services that are preventive care pursuant to Section  
16 223(c)(2)(C) of the Internal Revenue Code of 1986, as amended,  
17 regardless of whether the minimum deductible has been satisfied.

18 SECTION 2. This act shall become effective November 1, 2025.

19 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND INSURANCE  
February 20, 2025 - DO PASS

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