

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.:	HB2013
Version:	INT
Request Number:	11668
Author:	Rep. Pae
Date:	2/7/2025
Impact:	OHCA: \$152,453 - \$1,219,705 OSDH: \$45,000

Research Analysis

HB 2013 creates "Dylan's Law," which provides that all individual and group health insurance policies provide the same coverage and benefits to an individual diagnosed with epilepsy as it would to a patient that had not been diagnosed with epilepsy. To reduce the risk of death from sudden unexpected death in epilepsy (SUDEP) all individual and group health insurance policies that provide medical surgical benefits must provide coverage for seizure protection devices that are prescribed by a specialist and determined to be medically necessary. The measure also provides that, effective June 1, 2026, that Service Oklahoma will be required to permit a driver license or state identification cardholder to voluntarily designate with a symbol that they have been diagnosed with epilepsy. The cardholder may choose whether the designation is displayed on the card, or in the Oklahoma Law Enforcement Telecommunications System. The cardholder can remove the designation at any time.

The measure also requires the State Commissioner of Health to provide education or services related to epilepsy condition and guidance to medical professionals who the primary responsibility for treatment with epilepsy to determine if the individual is at increased risk for SUDEP. The Division of Health Care Information is also directed to develop an information program that will notify individuals with epilepsy about SUDEP and encourage the American Medication Association to add a Current Procedural Terminology Code for epilepsy education by a medical service professional. Further information about SUDEP will also be provided to all employees of the Chief Medical Examiner's Office and medical professionals authorized to sign death certificates. When an autopsy is conducted on a person who had epilepsy, the report must include an investigation and determination as to whether they suffered SUDEP. If it is determined to be so, that information must be noted on the death certificate and reported to the North American SUDEP Registry.

Prepared By: Suzie Nahach

Fiscal Analysis

HB2013 creates Dylan's Law, which sets forth directives for multiple agencies to ensure the protection of individuals with epilepsy.

1. Oklahoma Health Care Authority (OHCA):

Prohibits insurers from discriminating coverage based on an epilepsy diagnosis.

OHCA estimates the state share to range from \$152,453.15 to \$1,219,705.20 for Medicaid. The fiscal impact on HealthChoice rates is negligible.

2. Service Oklahoma:

Allows the placement of a unique symbol on a driver's license or ID card showing the individual has been diagnosed with epilepsy.

According to Service Oklahoma, the fiscal impact on Service Oklahoma is negligible, as the epilepsy designation can be incorporated into the new driver license system launching by June 1, 2026, without additional costs. The physical driver license design has approximately ten remaining spaces for special designations. Administrative updates, including integration with the Oklahoma Law Enforcement Telecommunications System (OLETS), will be managed within existing resources. Therefore, no fiscal impact is anticipated.

3. State Department of Health (OSDH):

Directs OSDH to provide guidance to medical professionals responsible for treatment of epilepsy to assist in determining if the patient is at risk for sudden unexpected death in epilepsy (SUDEP) and develop an information program in the Injury Prevention Service to disseminate to the public to notify the danger of SUDEP.

OSDH anticipates a total fiscal impact of \$45,000. The breakdown for this cost is below.

- Commissioner consultation with local and national organizations - \$10,000
- Development of information program - \$20,000
- Dissemination of information to the public and medical professionals - \$10,000
- Pursuit of CPT code- \$5,000

4. Office of the Chief Medical Examiner (OCME):

Directs the Chief Medical Examiner to include an investigation and determination on the autopsy report whether the deceased suffered from SUDEP. If determined it was, it must be noted on the death certificate and be reported to the North American SUDEP Registry (NASR).

OCME does not anticipate a fiscal impact, as the provisions are already included in their current protocol.

Therefore, the total anticipated impact for the state ranges from \$197,453 to \$1,264,705.

Prepared By: Alexandra Ladner, House Fiscal Staff

Other Considerations

None.