

ENROLLED HOUSE
BILL NO. 1364

By: Seikel and Boyd (Laura)
of the House

and

Henry of the Senate

An Act relating to insurance; amending 36 O.S. 1991, Section 6059, which relates to coverage for adopted children; providing for coverage from date of placement; providing for coverage for preexisting conditions; providing certain construction; defining term; and providing an effective date.

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

SECTION 1. AMENDATORY 36 O.S. 1991, Section 6059, is amended to read as follows:

Section 6059. A. All individual and group health insurance policies providing coverage on an expense incurred basis, and all individual and group service or indemnity type contracts issued by a nonprofit corporation, a charitable and benevolent corporation established for the purposes of operating a nonprofit hospital service or indemnity plan and/or a nonprofit medical or indemnity plan, and all self-insurers which provide coverage for a family member of the insured or subscriber shall, as to such family member's coverage, also provide that the health insurance benefits applicable for any natural child of the insured or subscriber shall be payable with respect to any adopted child of the insured or subscriber from the date of placement of the child in the custody of the insured or subscriber, provided the insurer is notified within thirty-one (31) days in writing. Coverage shall include the necessary care and treatment of medical conditions existing prior to the date of placement of the child in the custody of the insured or subscriber. Provided, nothing in this section shall be construed to require coverage of costs incurred for such medical conditions prior to the date of placement of the child in the custody of the insured or subscriber.

B. As used in this section, "placement" means the assumption by the insured or subscriber of the physical custody of the adopted child and the financial responsibility for the support and care of the adopted child.

C. For purposes of this section, a child who is in the custody of the insured, pursuant to an interlocutory decree issued under Section 60.15 of Title 10 of the Oklahoma Statutes vesting temporary care of the child in the insured, is an adopted child during the pendency of the adoption proceeding, regardless of whether a final decree of adoption is ultimately issued.

SECTION 2. This act shall become effective September 1, 1993.
Passed the House of Representatives the 5th day of May, 1993.

Speaker of the House of
Representatives

Passed the Senate the 12th day of April, 1993.

President of the Senate