

ENROLLED HOUSE  
BILL NO. 1377

By: Hamilton (Jeff), Seikel  
and Satterfield of the  
House

and

Herbert of the Senate

An Act relating to insurance; providing for application, implementation and enforcement of act; defining terms; requiring certain health insurance plan or policy or health maintenance organization to provide certain entities with certain rights; construing act; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3634.1 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. This act shall apply to medical benefit contracts, health care centers, insurance companies and health maintenance organizations which provide coverage for prescription drugs.

B. The Insurance Commissioner shall implement and enforce the provisions of this act pursuant to the Oklahoma Insurance Code, Section 101 et seq. of this title.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3634.2 of Title 36, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Co-payment" means a type of cost sharing whereby insured or covered persons pay a specified predetermined amount per unit of service with their insurer paying the remainder of the charge. The co-payment is incurred at the time the service is rendered. The co-payment may be a fixed or variable amount;

2. "Contract provider" means a pharmacy or pharmacist granted the right to provide prescription drugs and pharmacy services according to the terms of the insurer;

3. "Insurer" means any individual, plan, policy or contract that provides health care coverage benefits for pharmacy services including, but not limited to, prescription drugs;

4. "Pharmacist" means any person licensed by the Oklahoma State Board of Pharmacy to practice pharmacy; and

5. "Pharmacy" means a pharmacy licensed by the Oklahoma State Board of Pharmacy.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3634.3 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. A health insurance plan or policy or health maintenance organization providing prescription drugs as a covered benefit shall provide a pharmacy or group of pharmacies with the right to bid on a periodic basis, but not less than every three (3) years, on any

pharmacy contract to provide pharmacy services, including, but not limited to, prescription drugs.

B. Nothing in this act shall be interpreted to preclude a health insurance plan or policy or health maintenance organization from establishing an open pharmacy network for the provision of pharmacy services, including, but not limited to, prescription drugs.

C. The provisions of this section shall not apply to a health insurance plan or policy or health maintenance organization that maintains an open pharmacy network.

SECTION 4. This act shall become effective September 1, 1994.

Passed the House of Representatives the 27th day of April, 1994.

Speaker of the House of  
Representatives

Passed the Senate the 19th day of April, 1994.

President of the Senate