

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)
2ND CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1166

By: Long (Ed) of the Senate

and

Voskuhl, Roach, Anthony,
Glover, Adair, Smith
(Bill) and Cotner of the
House

2ND CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to health insurance; requiring certain policies, contracts and agreements to disclose the calculation of copayments; limiting copayment to lesser of certain figures; providing for application; providing for penalties; providing for promulgation of rules; 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 6052 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. Any policy, contract or agreement issued or renewed by an insurer, as defined in Section 6054 of Title 36 of the Oklahoma Statutes, or any contract or agreement issued or renewed for any preferred provider or other provider arrangement or managed care plan, which requires the insured or enrollee to make a copayment when benefits are provided, shall disclose to the insured or enrollee the calculation for the copayment. In no case shall the copayment be based on a higher figure than either the amount billed or the amount paid, whichever is less. This subsection shall apply to any health insurance plan offered through the State and Education Employees Group Insurance Act.

B. Any insurer, hospital or licensed health care provider determined to be in violation of subsection A of this section by the Insurance Commissioner, the State Board of Health or the appropriate health care professional licensing entity, after notice, shall be subject to an administrative fine of not less than One Thousand Dollars (\$1,000.00) or more than Five Thousand Dollars (\$5,000.00) for each violation. Notice under this section shall include a statement of violations on which the fine is based and notice of the opportunity for a hearing.

C. The Insurance Commissioner, the State Board of Health or the appropriate health care professional licensing entity shall promulgate rules providing for enforcement of the provisions of this act. In addition, each entity may promulgate rules providing for suspension or revocation of a license for substantial failure to comply with the provisions of this act. Such rules shall provide for notice and a hearing prior to the suspension or revocation of a license.

SECTION 2. This act shall become effective November 1, 1996.

45-2-2916

JY