

ENROLLED SENATE
BILL NO. 1166

By: Long (Ed) and Henry of the
Senate

and

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

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.