

ENROLLED HOUSE
BILL NO. 1221

By: Steidley of the House

and

Dickerson and Henry of
the Senate

An Act relating to insurance; amending 36 O.S. 1991, Section 6059, as amended by Section 1, Chapter 154, O.S.L. 1993 (36 O.S. Supp. 1996, Section 6059), which relates to insurance coverage of adopted children; requiring coverage of costs associated with the birth of an adopted child; providing for certain proof of payment; requiring deletion of natural parents' name from certain records; providing for deductibles or coinsurance; providing for certain contracts; 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, as amended by Section 1, Chapter 154, O.S.L. 1993 (36 O.S. Supp. 1996, 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~~ 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. Subject to the terms and conditions of the policy, contract or agreement, coverage shall also include the actual and documented medical costs associated with the birth of an adopted child who is eighteen (18) months of age or younger. If requested, the insured shall provide copies of medical bills and records associated with the birth of the adopted child and proof that the insured paid or is responsible for payment of the medical bills associated with the birth and that the cost of the birth was not covered by another health care plan including Medicaid. Any reference to the name of

the natural parents of the adopted child shall be deleted from the records so provided. The coverage required by this subsection shall be subject to the same annual deductibles and coinsurance as may be deemed appropriate and as are consistent with those established for other covered benefits. The coverage shall also be subject to the terms of the insurers contract, if any, with hospitals and physicians.

C. 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.~~ D. 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 November 1, 1997.

Passed the House of Representatives the 4th day of March, 1997.

Speaker of the House of
Representatives

Passed the Senate the 31st day of March, 1997.

President of the Senate