

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 609

By: Monson

AS INTRODUCED

An Act relating to employee benefits; amending Section 12, Chapter 400, O.S.L. 1992 (74 O.S. Supp. 1998, Section 1372), which relates to health insurance; allowing extension of enrollment period for members of the State and Education Employees Group Insurance Board and the Oklahoma State Employees Benefits Council; providing restrictions on extension; providing for promulgation of rules; extending and modifying calendar year deductible period; providing for promulgation of rules; requiring certain information from health maintenance organizations; providing for codification; and declaring an emergency.

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 1308.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

During any legislative session in which benefits offered by the State and Education Employees Group Insurance Board or the Oklahoma State Employees Benefits Council are modified by legislation, the enrollment period for participating members shall be extended for the purpose of allowing such members to enroll in the modified benefits. However, any extension of the enrollment period may only occur if it is in compliance with the requirements of Title 26, Section 125 et seq. of the Internal Revenue Code of the United States. The State and Education Employees Group Insurance Board and the Oklahoma State Employees Benefits Council shall promulgate rules necessary for the implementation of this section.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1308.3 of Title 74, unless there is created a duplication in numbering, reads as follows:

The calendar year deductible beginning January 1, 1999, for the health and dental insurance plans offered by the State and Education Employees Group Insurance Board shall be extended six months and shall end June 30, 2000. The next deductible year shall begin on July 1, 2000, and end on June 30, 2001. Thereafter each deductible year shall be a twelve-month period commencing on July 1 of each year and ending on the following June 30. The State and Education Employees Group Insurance Board shall promulgate rules necessary for the implementation of this section.

SECTION 3. AMENDATORY Section 12, Chapter 400, O.S.L. 1992 (74 O.S. Supp. 1998, Section 1372), is amended to read as follows:

Section 1372. The Council shall be responsible for making all determinations as to the rights of any participant or any beneficiary of a participant to receive amounts under the plan except to the extent a benefit plan provides to the contrary. The Council may prescribe forms and procedures for making claims for benefits under the plan to the extent such forms or procedures are not prescribed by the terms of a benefit plan. Each person making a claim for benefits under the plan shall also furnish the Council with such documents, evidence, data or information in support of such claim as the Council considers necessary or desirable. If any claim for benefits under the plan is wholly or partially denied, the claimant shall be given notice in writing of such denial within a reasonable period of time, but no later than forty-five (45) days after the claim is filed. Within thirty (30) days after a claim is denied, the subject health maintenance organization shall provide information to the Council identifying the reasons for refusal of the claim. Such notice shall set forth the following information:

1. The specific reason or reasons for the denial;
2. Specific reference to pertinent plan provisions on which the denial is based;
3. A description of any additional materials or information necessary for the claimant to perfect the claim and an explanation of why such material or information is necessary;
4. An explanation that a full and fair review by the Council of the decision denying the claim may be requested by the claimant or his or her authorized representative by filing with the Council, within ninety (90) days after notice of denial has been received, a written request for such hearing; and
5. If such request is so filed, the claimant or his authorized representative may review pertinent documents and submit issues and comments in writing within the same ninety-day period specified in paragraph 4 of this section. The hearing before the Council reviewing the Council's claim denial shall be held no later than sixty (60) days after the Council's receipt of the request for hearing, unless special circumstances require an extension of time by the claimant, in which case a hearing shall be held not later than one hundred twenty (120) days after receipt of the request for hearing. The decision on the hearing shall be in writing and shall include specific reasons for the decision, written in a manner calculated to be understood by the claimant, and shall include specific references to the pertinent plan provisions on which the decision is based.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

47-1-760            SJ        6/12/2015 1:51:53 AM