

**EHB 1626**

**THE STATE SENATE**  
**Thursday, April 7, 2005**

**ENGROSSED**

**House Bill No. 1626**

ENGROSSED HOUSE BILL NO. 1626 - By: WILT, HASTINGS and LAMONS of the House and MONSON of the Senate.

An Act relating to insurance; establishing Surgical Patient Choice Task Force; providing for appointments; providing for qualifications; providing for meetings and staffing; providing for reimbursement for travel; providing for purpose; requiring certain report; 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 6057.5 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created to continue until February 1, 2006, the Surgical Patient Choice Task Force.

1. The Task Force shall consist of ten (10) members.

2. Of the ten members:

a. three shall be appointed by the Speaker of the Oklahoma House of Representatives as follows:

(1) one shall be a representative of a health insurer which owns or operates a statewide provider network,

(2) one shall represent a specialty hospital, and

- 1                   (3) one shall be a member of the Oklahoma House of  
2                   Representatives and shall serve as cochair,
- 3           b. three shall be appointed by the President Pro Tempore  
4           of the State Senate as follows:
- 5                   (1) one shall represent an ambulatory surgical  
6                   center,
- 7                   (2) one shall represent a statewide hospital  
8                   association, and
- 9                   (3) one shall be a member of the State Senate and  
10                  shall serve as cochair,
- 11          c. two shall be appointed by the Governor as follows:
- 12                  (1) one shall be a representative of a full-service  
13                  community hospital located in a community with a  
14                  population of over three hundred thousand  
15                  (300,000), and
- 16                  (2) one shall represent a hospital located in a rural  
17                  area, and
- 18          d. two shall be public sector representatives or their  
19                  designees as follows:
- 20                  (1) the Commissioner of the State Department of  
21                  Health, and
- 22                  (2) the Insurance Commissioner.

1           B. 1. Appointed members of the Task Force shall serve at the  
2 pleasure of their appointing authority.

3           2. A vacancy on the Task Force shall be filled by the original  
4 appointing authority.

5           3. Appointments to the Task Force shall be made by August 1,  
6 2005.

7           C. 1. A majority of the members present at a meeting shall  
8 constitute a quorum to do business.

9           2. The cochairs of the Task Force shall convene the first  
10 meeting of the Task Force on or before September 1, 2005, at which  
11 time a schedule of the meetings shall be determined.

12           3. The Oklahoma Insurance Department shall provide staff  
13 support for the Task Force.

14           D. The Task Force may divide into subcommittees in furtherance  
15 of its purposes.

16           E. Members of the Task Force shall receive no compensation but  
17 shall be reimbursed for necessary travel expenses incurred in the  
18 performance of their duties pursuant to the provisions of the State  
19 Travel Reimbursement Act as follows:

20           1. Legislative members of the Task Force shall be reimbursed in  
21 accordance with the provisions of Section 456 of Title 74 of the  
22 Oklahoma Statutes; and

1           2. Nonlegislative members of the Task Force shall be reimbursed  
2 by their appointing authorities.

3           F. The purpose of the Task Force shall be to make  
4 recommendations to the Legislature and the Governor regarding ways  
5 to improve patient access to rural hospitals, specialty hospitals  
6 and ambulatory surgical centers by:

7           1. Studying the issue of the exclusion of hospitals including  
8 specialty hospitals and ambulatory surgical centers from health  
9 insurance plans when those facilities are willing to meet the terms  
10 of a contract set forth and offered to similar providers by health  
11 insurance companies;

12           2. Determining whether a need exists to expand opportunities  
13 for hospitals to participate in health insurance provider networks;

14           3. Determining if patients have the ability to choose among and  
15 between all geographically relevant providers which meet  
16 requirements set by insurance companies;

17           4. Determining if providers as defined in this act who are not  
18 allowed to participate in provider networks are denied participation  
19 based on issues related to patient safety, sound economic policies,  
20 and the practice of medicine;

21           5. Making recommendations as to the role of the State Insurance  
22 Commission and the State Department of Health in establishing a

1 system of appeal when a hospital, specialty hospital, or ambulatory  
2 surgical center, is denied participation in a provider network; and

3 6. Identifying other issues deemed appropriate by the Task  
4 Force.

5 G. The Task Force shall issue a report of its recommendations  
6 to the Legislature and Governor no later than January 1, 2006.

7 SECTION 2. It being immediately necessary for the preservation  
8 of the public peace, health and safety, an emergency is hereby  
9 declared to exist, by reason whereof this act shall take effect and  
10 be in full force from and after its passage and approval.

11 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND LABOR, dated 4-4-05 -  
12 DO PASS.