

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 957

By: Coates

AS INTRODUCED

An Act relating to insurance; amending 36 O.S. 2001, Section 6058, which relates to health insurance benefits for newly born children; clarifying coverage provisions; specifying and limiting coverage amount for certain burials; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 36 O.S. 2001, Section 6058, is amended to read as follows:

Section 6058. 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 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 children shall be payable with respect to a newly born child of the insured or subscriber from the moment of birth. Such coverage shall apply for the newly born child regardless of whether the newly born child is born alive or is stillborn.

B. The coverage for newly born children shall consist of coverage of injury or sickness including the necessary care and treatment of medically diagnosed congenital defects and birth abnormalities. Such coverage shall also include transportation necessary for the provision of medical care for such newly born children when (1) the newly born is transported to the nearest hospital capable of providing the medically necessary treatment on a

timely basis, and (2) the mode of transportation is the most economical consistent with the well-being of the newly born. Transportation coverage shall not exceed the reasonable costs of providing such service and an itemized statement of costs shall accompany each claim.

The provisions of this subsection shall not apply to policies involving Medicare and supplements to Medicare.

C. Coverage for a newly born child shall consist of coverage for the burial expenses of a stillborn child or a child who dies during the first seven (7) days after a live birth. Such burial expense shall be in a reimbursement amount not to exceed Five Thousand Dollars (\$5,000.00) or the actual expense incurred, whichever is less.

D. If payment of a specific premium or subscription fee is required to provide coverage for a child, the policy or contract may require that notification of birth and payment of the required premium or fees must be furnished to the insurer or nonprofit service or indemnity corporation within thirty-one (31) days after the date of birth in order to have the coverage continue beyond such thirty-one-day period.

SECTION 2. This act shall become effective November 1, 2005.

50-1-176

CJ

12/17/2004 4:03:00 PM