

ENROLLED SENATE
BILL NO. 1251

By: Wilson, Johnson
(Constance), Gumm,
Leftwich, Corn and Rice of
the Senate

and

Brown, Morgan and Dorman
of the House

An Act relating to insurance; prohibiting health insurance plans from taking certain specified actions based on certain status of the applicant or insured; providing that domestic abuse shall not be considered to be a preexisting condition; defining term; requiring report to law enforcement agency; 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 6060.10A of Title 36, unless there is created a duplication in numbering, reads as follows:

A. 1. No health benefit plan shall deny coverage, refuse to issue or renew, cancel or otherwise terminate, restrict or exclude any person from any health benefit plan issued or renewed on or after November 1, 2010, on the basis of the applicant's or insured's status as a victim of domestic abuse as defined in Section 60.1 of Title 22 of the Oklahoma Statutes.

2. No health benefit plan shall deny a claim on the basis of the insured's status as a victim of domestic violence.

3. Domestic abuse shall not be considered to be a preexisting condition.

B. As used in this section, "health benefit plan" means individual or group coverage, a not-for-profit hospital or medical service or indemnity plan, a prepaid health plan, a health maintenance organization plan, a preferred provider organization plan, the State and Education Employees Group Health Insurance Plan, any program funded under Title XIX of the Social Security Act or such other publicly funded program, and coverage provided by a Multiple Employer Welfare Arrangement (MEWA) or employee self-insured plan except as exempt under federal ERISA provisions.

C. In order to comply with the provisions of this section, the acts constituting the domestic abuse shall be reported to a law enforcement agency setting forth the relevant facts.

SECTION 2. This act shall become effective November 1, 2010.

Passed the Senate the 28th day of May, 2010.

Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of April, 2010.

Presiding Officer of the House
of Representatives