

THE HOUSE OF REPRESENTATIVES
Thursday, April 8, 2010

Committee Substitute for
ENGROSSED
Senate Bill No. 1251

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 1251 - By:
WILSON, JOHNSON (CONSTANCE), GUMM, LEFTWICH AND CORN of the Senate
and BROWN AND MORGAN 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:

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 6060.10A of Title 36, unless there is created a duplication in
3 numbering, reads as follows:

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

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

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

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

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

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

15 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND
16 FINANCIAL SERVICES, dated 04-07-10 - DO PASS, As Amended and Coauthored.