

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 378

By: Rice

4
5
6
7 AS INTRODUCED

8 An Act relating to insurance; amending 36 O.S. 2001,
9 Section 6060.4, as last amended by Section 65,
10 Chapter 264, O.S.L. 2006 (36 O.S. Supp. 2008, Section
11 6060.4), which relates to child immunization
12 coverage; expanding coverage; providing for
13 reimbursement; and providing an effective date.

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

15 SECTION 1. AMENDATORY 36 O.S. 2001, Section 6060.4, as
16 last amended by Section 65, Chapter 264, O.S.L. 2006 (36 O.S. Supp.
17 2008, Section 6060.4), is amended to read as follows:

18 Section 6060.4 A. A health benefit plan delivered, issued for
19 delivery or renewed in this state on or after January 1, 1998, that
20 provides benefits for the dependents of an insured individual shall
21 provide coverage for each child of the insured, from birth through
22 the date such child is eighteen (18) years of age for:

23 1. Immunization against:

24 a. diphtheria,

- b. hepatitis B,
- c. measles,
- d. mumps,
- e. pertussis,
- f. polio,
- g. rubella,
- h. tetanus,
- i. varicella,
- j. haemophilus influenzae type B, ~~and~~
- k. hepatitis A, ~~and~~,
- l. pneumococcus,
- m. meningococcus,
- n. rotavirus,
- o. human papillomavirus, and
- p. influenza; and

2. Any other immunization subsequently recommended for routine use by the Advisory Committee on Immunization Practice or required for children by the State Board of Health.

B. 1. Benefits required pursuant to subsection A of this section shall not be subject to a deductible, co-payment, or coinsurance requirement.

2. Benefits required pursuant to subsection A of this section shall not be discounted due to network agreements, preferred provider organization (PPO) contracts, or any other contract that is

1 signed by a physician or facility providing immunizations which
2 would result in a reimbursement amount of less than one hundred
3 percent (100%) of the actual retail cost charged to the physician or
4 facility purchasing the immunization.

5 3. Reimbursement shall be at one hundred percent (100%) of the
6 actual retail cost of the immunization and an additional
7 reimbursement of twenty percent (20%) of the retail cost charged
8 which shall be for dispensing and storage of the immunizations.

9 C. 1. For purposes of this section, "health benefit plan"
10 means a plan that:

- 11 a. provides benefits for medical or surgical expenses
12 incurred as a result of a health condition, accident,
13 or sickness, and
- 14 b. is offered by any insurance company, group hospital
15 service corporation, the State and Education Employees
16 Group Insurance Board, or health maintenance
17 organization that delivers or issues for delivery an
18 individual, group, blanket, or franchise insurance
19 policy or insurance agreement, a group hospital
20 service contract, or an evidence of coverage, or, to
21 the extent permitted by the Employee Retirement Income
22 Security Act of 1974, 29 U.S.C., Section 1001 et seq.,
23 by a multiple employer welfare arrangement as defined
24 in Section 3 of the Employee Retirement Income

1 Security Act of 1974, or any other analogous benefit
2 arrangement, whether the payment is fixed or by
3 indemnity.

4 2. The term "health benefit plan" shall not include:

5 a. a plan that provides coverage:

6 (1) only for a specified disease,

7 (2) only for accidental death or dismemberment,

8 (3) for wages or payments in lieu of wages for a
9 period during which an employee is absent from
10 work because of sickness or injury, or

11 (4) as a supplement to liability insurance,

12 b. a Medicare supplemental policy as defined by Section
13 1882(g)(1) of the Social Security Act (42 U.S.C.,
14 Section 1395ss),

15 c. worker's compensation insurance coverage,

16 d. medical payment insurance issued as part of a motor
17 vehicle insurance policy,

18 e. a long-term care policy, including a nursing home
19 fixed indemnity policy, unless a determination is made
20 that the policy provides benefit coverage so
21 comprehensive that the policy meets the definition of
22 a health benefit plan, or

23 f. short-term health insurance issued on a nonrenewable
24 basis with a duration of six (6) months or less.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

SECTION 2. This act shall become effective November 1, 2009.

52-1-1477 ARE 3/6/2009 4:10:08 AM