

1 STATE OF OKLAHOMA

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

3 SENATE BILL 927

By: Sparks

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6 AS INTRODUCED

7 An Act relating to insurance; prohibiting certain
8 limitation, reduction, or denial of coverage of
9 prescription drugs in certain circumstances;
10 clarifying use of term; clarifying scope of act;
11 providing for codification; and providing an effective
12 date.

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

13 SECTION 1. NEW LAW A new section of law to be codified in
14 the Oklahoma Statutes as Section 6060.4b of Title 36, unless there is
15 created a duplication in numbering, reads as follows:

16 A. A health insurance policy or health care service plan
17 contract that covers prescription drugs shall not limit, reduce, or
18 deny coverage for any drug if, prior to the limitation, reduction, or
19 denial of coverage:

- 20 1. The insured was using the drug;
21 2. The insured was covered under the policy or contract; and
22 3. The drug was covered under the policy or contract.

23 B. For purposes of this section, a limitation, reduction, or
24 denial of coverage includes removing a drug from the formulary or

1 other drug list, imposing new prior authorization or other
2 utilization management tools, or placing the drug on a formulary tier
3 that increases the cost-sharing obligations of the patient.

4 C. Nothing in this section shall prohibit an insurer from making
5 uniform changes in its benefit design that apply to all covered drugs
6 or increasing cost-sharing obligations to a percentage coinsurance
7 payment that necessarily increases with an increase in the underlying
8 drug price.

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

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