

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 53rd Legislature (2011)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2130

By: Steele of the House

and

Jolley of the Senate

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9 COMMITTEE SUBSTITUTE

10 An Act relating to insurance; amending Section 2,
11 Chapter 128, O.S.L. 2009 (36 O.S. Supp. 2010, Section
12 4602), which relates to the duties of the Health Care
13 for the Uninsured Board; providing that the Executive
14 Director shall advise and aid Board; specifying the
15 Secretary of Health and Human Services shall be the
16 Executive Director; providing for appointment of
17 Board; specifying backgrounds of appointees;
18 providing for the appointment of the original board;
19 specifying term of Board membership; providing for
20 appointment of vacant positions; requiring initial
21 meeting of Board; directing State Department of
22 Health to provide space for meetings; changing
23 agencies that direct implementation and duties of the
24 Board; directing Board to apply for certain grants
 and funds; modifying Insurance Commissioner duties;
 and providing an effective date.

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

1 SECTION 1. AMENDATORY Section 2, Chapter 128, O.S.L.
2 2009 (36 O.S. Supp. 2010, Section 4602), is amended to read as
3 follows:

4 Section 4602. A. ~~The Insurance Commissioner in collaboration~~
5 ~~with the Oklahoma Health Care Authority~~ Health Care for the
6 Uninsured Board (HUB) Executive Director shall advise and aid the
7 ~~Health Care for the Uninsured Board (HUB)~~ in its duties. The
8 Secretary of Health and Human Services shall be the Executive
9 Director. ~~The Insurance Commissioner~~ Executive Director is hereby
10 authorized to promulgate such reasonable rules as are necessary to
11 implement the purposes of this act.

12 B. 1. The Health Care for the Uninsured Board shall consist
13 of:

14 a. two members to be appointed by the Governor who shall
15 represent the interests of the top five health
16 insurance providers in the state,

17 b. one member to be appointed by the President Pro
18 Tempore of the Senate who shall represent the
19 interests of insurance agents in the state,

20 c. one member to be appointed by the Speaker of the House
21 of Representatives who shall represent the interests
22 of Oklahoma employers,

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

- 1 d. the Chief Executive Officer of the Oklahoma Health
2 Care Authority, or designee,
3 e. the Insurance Commissioner, or designee, and
4 f. an actuary, to be designated by the Oklahoma State
5 Employees Benefits Council.

6 2. Appointees shall represent interests affected by insurance
7 exchange requirements, including business interests, consumers and
8 insurance providers.

9 3. The original Board shall be appointed as follows:

- 10 a. the Governor shall appoint one member for a term of
11 two (2) years, and one member for a term of three (3)
12 years,
13 b. the President Pro Tempore of the Senate appointee
14 shall serve for a term of two (2) years, and
15 c. the Speaker of the House of Representatives appointee
16 shall serve for a term of three (3) years.

17 4. All terms after the initial term shall be for three (3)
18 years. Vacancies shall be filled in the same manner as that
19 position was originally filled.

20 5. The Board shall meet initially no later than December 15,
21 2011.

22 6. The State Department of Health shall provide space for
23 meetings of the Board.

1 ~~C. The State Board of Health~~ Executive Director shall direct
2 the implementation and duties of the HUB ~~to assist the Insurance~~
3 ~~Commissioner~~. The duties of the HUB shall be to:

4 1. Advise, consult with, and make recommendations to the
5 Insurance Commissioner as to the matters addressed in subsection ~~C~~ D
6 of this section; ~~and~~

7 2. Assist and advise the Insurance Commissioner on such other
8 matters as the Commissioner may submit for recommendations to the
9 State Board of Health;

10 3. Apply for grants or other federal Medicaid funds available
11 to implement the provisions of the Health Care for Oklahomans Act;

12 4. Establish a system of counseling, including a website, for
13 those individuals who are without health insurance and are not
14 covered by Medicaid, that includes but is not limited to:

15 a. educating consumers about insurance programs certified
16 by the state in accordance with this section,

17 b. aiding consumers in choosing policies that cover
18 medically necessary services for that consumer, and

19 c. educating consumers on how to utilize primary and
20 preventative care in order to reduce the unnecessary
21 utilization of services by the consumer; and

22 5. Establish a system whereby if an individual qualifies for a
23 subsidy under the premium assistance program, established in Section

1 1010.1 of Title 56 of the Oklahoma Statutes, that person is able to
2 become enrolled through the HUB in conjunction with local, qualified
3 insurance producers.

4 ~~C.~~ D. The Insurance Commissioner shall:

5 1. Establish a system of certification for insurance programs
6 offered in this state to be recommended by the HUB;

7 2. Establish a system for the credentialing of insurance
8 producers who intend to market insurance programs certified by the
9 state in accordance with this section; and

10 3. Establish a system ~~of counseling, including a website, for~~
11 ~~those individuals who are without health insurance and are not~~
12 ~~covered by Medicaid, that includes but is not limited to:~~

13 a. ~~educating consumers about insurance programs certified~~
14 ~~by the state in accordance with this section,~~

15 b. ~~aiding consumers in choosing policies that cover~~
16 ~~medically necessary services for that consumer, and~~

17 c. ~~educating consumers on how to utilize primary and~~
18 ~~preventative care in order to reduce the unnecessary~~
19 ~~utilization of services by the consumer; and~~

20 4. ~~Establish a system whereby if an individual qualifies for a~~
21 ~~subsidy under the premium assistance program, established in Section~~
22 ~~1010.1 of Title 56 of the Oklahoma Statutes, that person is able to~~
23 ~~become enrolled through the HUB in conjunction with local, qualified~~

1 insurance producers for the certification of low-cost health
2 insurance programs designed to provide coverage to eligible
3 individuals. Such programs shall not be required to include certain
4 mandates. The Board may recommend that plans certified by the
5 Commissioner be offered statewide to eligible individuals.

6 E. The HUB shall receive no general revenue appropriations, but
7 shall be funded by grants awarded to the state.

8 SECTION 2. This act shall become effective November 1, 2011.

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10 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 03-03-2011 -
11 DO PASS, As Amended and Coauthored.

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