

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 43

By: Wilson

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5
6 AS INTRODUCED

7 An Act relating to the coverage of medically
8 necessary procedures by a health benefit plan;
9 requiring a health benefit plan to fully cover
10 certain health care services; providing exception;
11 defining terms; requiring the Insurance Commissioner
12 to promulgate certain rules; providing for
13 codification; and providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 6060.19 of Title 36, unless
17 there is created a duplication in numbering, reads as follows:

18 A. Any health benefit plan that is offered, issued or renewed
19 in this state on or after January 1, 2012, shall fully cover any
20 health care services of the insured that is deemed by a health care
21 professional to be medically necessary in order to treat a health
22 condition, illness, injury or disease.

23 B. The provisions of subsection A of this section shall not
24 apply to any elective procedures that would result in the
25 termination of a pregnancy.

1 C. As used in this section:

2 1. "Health benefit plan" means any plan or arrangement as
3 defined in subsection C of Section 6060.4 of Title 36 of the
4 Oklahoma Statutes;

5 2. "Health care professional" means a physician or other health
6 care practitioner providing health care services;

7 3. "Health care services" means services for the diagnosis,
8 prevention or treatment of a health condition, illness, injury or
9 disease; and

10 4. "Medically necessary" means health care services that a
11 health care professional, exercising prudent clinical judgment,
12 would provide to a patient for the purpose of evaluating, diagnosing
13 or treating a health condition, illness, injury or its symptoms, and
14 that are:

15 a. in accordance with generally accepted standards of
16 medical practice,

17 b. clinically appropriate in terms of type, frequency,
18 extent, site and duration and considered effective for
19 the patient's health condition, illness, injury or
20 disease,

21 c. not primarily for the convenience of the patient or
22 health care professional, and

23 d. not more costly than an alternative service or
24 sequence of services at least as likely to produce

1 equivalent therapeutic or diagnostic results as to the
2 diagnosis or treatment of that patient's health
3 condition, illness, injury or disease.

4 D. The Insurance Commissioner shall promulgate rules necessary
5 to implement the provisions of this section.

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

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