

1 ENGROSSED SENATE AMENDMENT  
TO  
2 ENGROSSED HOUSE  
BILL NO. 3282

By: Mulready of the House

and

Stanislawski of the Senate

7 [ insurance - group and blanket accident and health  
8 insurance - repealing Health Insurance High Risk  
Pool Act - effective date ]

10 AMENDMENT NO. 1. Page 1, restore the title

11 Passed the Senate the 15th day of April, 2014.

13 \_\_\_\_\_  
14 Presiding Officer of the Senate

15 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
16 2014.

18 \_\_\_\_\_  
19 Presiding Officer of the House  
20 of Representatives

1 ENGROSSED HOUSE  
2 BILL NO. 3282

By: Mulready of the House

3 and

4 Stanislawski of the Senate

5  
6  
7 [ insurance - group and blanket accident and health  
8 insurance - repealing Health Insurance High Risk  
9 Pool Act - effective date ]  
10  
11

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

13 SECTION 1. AMENDATORY 36 O.S. 2011, Section 4509.2, is  
14 amended to read as follows:

15 Section 4509.2 A. When an insured individual or a dependent  
16 who was covered by group insurance pursuant to the provisions of the  
17 Health Insurance Portability and Accountability Act of 1996, 29  
18 U.S.C.A., Section 1181 et seq., gains employment with an employer  
19 who provides for health insurance through a group plan, the  
20 succeeding group carrier shall accept the insured individual and  
21 dependents of the insured individual who were covered under the  
22 prior coverage and shall not apply limitations or exclusions based  
23 on preexisting conditions or apply waiting-period requirements for  
24 the insured individual or the dependents of the insured individual

1 beyond the time when any surviving exclusion or waiting period with  
2 the prior carrier would have been fulfilled. The insured individual  
3 and any dependents of such individual must apply for the new  
4 coverage within sixty-three (63) days following the date of  
5 termination of prior creditable coverage.

6 B. When an insured individual or dependent who was covered by  
7 individual insurance pursuant to the provisions of the Health  
8 Insurance Portability and Accountability Act of 1996, 29 U.S.C.A.,  
9 Section 1181 et seq., gains employment with an employer who provides  
10 for health insurance through a group plan, the succeeding group  
11 carrier shall accept the insured individual and dependents of the  
12 insured individual who were covered under the prior coverage and  
13 shall not apply limitations or exclusions based on preexisting  
14 conditions or apply waiting-period requirements for the insured  
15 individual or the dependents of the insured individual beyond the  
16 time when any surviving exclusion or waiting period with the prior  
17 carrier would have been fulfilled. The insured individual and any  
18 dependents of such individual must apply for the new coverage within  
19 sixty-three (63) days following the date of termination of prior  
20 creditable coverage.

21 C. Insurance carriers receiving an application for individual  
22 insurance may underwrite the risk or decline coverage based on the  
23 underwriting guidelines of the insurance carrier. ~~Upon denial of~~  
24 ~~coverage, insurance carriers shall advise the applicant of the~~

1 ~~existence of, and how to apply for coverage under, the Health~~  
2 ~~Insurance High Risk Pool.~~

3 D. When there is a lapse in the coverage of the insured  
4 individual or a dependent of the insured individual provided for by  
5 subsections A, B, and C of this section for any reason other than a  
6 probationary period or similar waiting period imposed pursuant to  
7 personnel policies of an employer, the provisions of subsections A,  
8 B, and C of this section shall not apply to the person whose  
9 coverage lapsed.

10 E. When an individual employee who was covered under a group  
11 health insurance plan terminates employment with an employer and  
12 gains employment with another employer who provides for health  
13 insurance through a group plan, the carrier of the succeeding  
14 employer shall not apply preexisting conditions limitations or  
15 exclusions of preexisting conditions or apply waiting-period  
16 requirements for the individual employee or his dependents covered  
17 under the group plan of the previous employer beyond the time when  
18 any surviving exclusion or waiting period with the prior carrier  
19 would have been fulfilled, provided the individual employee applies  
20 for the new coverage within thirty-one (31) days following the date  
21 of eligibility for participation in the plan in accordance with the  
22 employment or personnel policies of the employer of such  
23 participation.

24

