

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2190

By: Schwartz and Sherrer of the
House

and

Holt of the Senate

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7 An Act relating to public health and safety;
8 permitting assisted living center to participate in
informal dispute resolution panel; authorizing State
9 Department of Health to appoint certain panel to be
10 comprised of certain members; providing for
11 codification; and providing an effective date.

12 AUTHOR: Remove Senate Author Holt and insert Griffin as Author:

13 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
14 entire bill and insert

15 "An Act relating to health benefit plans; defining
16 terms; requiring use of certain forms under certain
17 circumstances; establishing requirements for certain
forms; providing for accessibility of certain forms;
and providing an effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 313B of Title 63, unless there
22 is created a duplication in numbering, reads as follows:

23 A. As used in this section:

24 1. a. "Health benefit plan" means a plan that:

- 1 (1) provides benefits for medical or surgical
2 expenses incurred as a result of a health
3 condition, accident, or sickness, and
4 (2) is offered by any insurance company, group
5 hospital service corporation, the State and
6 Education Employees Group Insurance Board, or a
7 health maintenance organization that delivers or
8 issues for delivery an individual, group,
9 blanket, or franchise insurance policy or
10 insurance agreement, a group hospital service
11 contract, or an evidence of coverage, or, to the
12 extent permitted by the Employee Retirement
13 Income Security Act of 1974, 29 U.S.C., Section
14 1001 et seq., by a multiple employer welfare
15 arrangement as defined in Section 3 of the
16 Employee Retirement Income Security Act of 1974,
17 or any other analogous benefit arrangement,
18 whether the payment is fixed or by indemnity.

19 b. "Health benefit plan" shall not include:

- 20 (1) a plan that provides coverage:
21 (a) only for a specified disease or diseases or
22 under an individual limited benefit policy,
23 (b) only for accidental death or dismemberment,
24 (c) for dental or vision care,

1 (d) a hospital confinement indemnity policy,

2 (e) disability income insurance or a combination
3 of accident-only and disability income
4 insurance, or

5 (f) as a supplement to liability insurance,

6 (2) a Medicare supplemental policy as defined by
7 Section 1882(g)(1) of the Social Security Act (42
8 U.S.C., Section 1395ss),

9 (3) worker's compensation insurance coverage,

10 (4) medical payment insurance issued as part of a
11 motor vehicle insurance policy,

12 (5) a long-term care policy, including a nursing home
13 fixed indemnity policy, unless a determination is
14 made that the policy provides benefit coverage so
15 comprehensive that the policy meets the
16 definition of a health benefit plan, or

17 (6) short-term health insurance issued on a
18 nonrenewable basis with a duration of six (6)
19 months or less; and

20 2. "Prior authorization" means a utilization management
21 criterion utilized to seek permission or waiver of a drug to be
22 covered under a health prior authorization.

23 B. Notwithstanding any other provision of law to the contrary,
24 in order to establish uniformity in the submission of prior

1 authorization forms, on or after January 1, 2015, a health benefit
2 plan shall utilize prior authorization forms for obtaining any prior
3 authorization for prescription drug benefits. A form shall not
4 exceed three pages in length, excluding any instructions or guiding
5 documentation and a health benefit plan may customize the content of
6 the form specific to the prescription drug for which the prior
7 authorization is being requested. A health benefit plan may make
8 the form accessible through multiple computer operating systems.
9 Additionally, upon request, the health benefit plan shall make a
10 copy of the form available to the Insurance Commissioner.

11 SECTION 2. This act shall become effective November 1, 2014."

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13 Passed the Senate the 24th day of April, 2014.

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Presiding Officer of the Senate

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17 Passed the House of Representatives the ____ day of _____,

18 2014.

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Presiding Officer of the House
of Representatives

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