

05/14/2013 02:10:44 PM

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB2226

By: Schwartz of the House and Griffin of the Senate

Title: Public health and safety; requiring health insurance issuer to use certain form for obtaining prior authorization for prescription drug benefits; effective date; emergency.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

- 1) That the Senate recede from its amendment; and
- 2) That the attached Conference Committee Substitute be adopted.

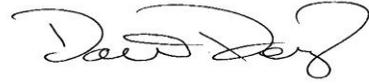
Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

HB2226 CCR (A)
HOUSE CONFEREES

Cox, Doug

Derby, David



Echols, Jon



Enns, John



Grau, Randy



Hamilton, Rebecca

Hulbert, Arthur



McDaniel, Jeannie

Mulready, Glen



Ritze, Mike

Shelton, Mike

HB2226 CCR A

SENATE CONFEREES

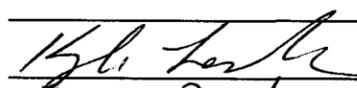
Griffin



Brown



Bass



Loveless



Brooks



Sparks

House Action _____ Date _____ Senate Action _____ Date _____

House Action _____ Date _____ Senate Action _____ Date _____

AUTHOR(s)/COAUTHOR(s) CURRENTLY IN THE QUEUE for HB2226

As of 5/14/2013 2:12:03 PM

Add as coauthor Senator Johnson (Constance)

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 2226

By: Schwartz of the House
and
Griffin of the Senate

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10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to health benefit plans; defining
12 terms; requiring use of certain forms under certain
13 circumstances; establishing requirements for certain
14 forms; providing for accessibility of certain forms;
15 prohibiting certain emergency contraception to be
16 available to certain individuals without a
17 prescription; requiring certain emergency
18 contraception to be dispensed by pharmacists to
19 certain individuals without a prescription; providing
20 for codification; providing an effective date; and
21 declaring an emergency.

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

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

A. As used in this section:

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

2 (1) provides benefits for medical or surgical
3 expenses incurred as a result of a health
4 condition, accident, or sickness, and

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

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

21 (1) a plan that provides coverage:

22 (a) only for a specified disease or diseases or
23 under an individual limited benefit policy,

24 (b) only for accidental death or dismemberment,

- 1 (c) for dental or vision care,
2 (d) a hospital confinement indemnity policy,
3 (e) disability income insurance or a combination
4 of accident-only and disability income
5 insurance, or
6 (f) as a supplement to liability insurance,
7 (2) a Medicare supplemental policy as defined by
8 Section 1882(g)(1) of the Social Security Act (42
9 U.S.C., Section 1395ss),
10 (3) worker's compensation insurance coverage,
11 (4) medical payment insurance issued as part of a
12 motor vehicle insurance policy,
13 (5) a long-term care policy, including a nursing home
14 fixed indemnity policy, unless a determination is
15 made that the policy provides benefit coverage so
16 comprehensive that the policy meets the
17 definition of a health benefit plan, or
18 (6) short-term health insurance issued on a
19 nonrenewable basis with a duration of six (6)
20 months or less; and

21 2. "Prior authorization" means a utilization management
22 criterion utilized to seek permission or waiver of a drug to be
23 covered under a health prior authorization.
24

1 B. Notwithstanding any other provision of law to the contrary,
2 in order to establish uniformity in the submission of prior
3 authorization forms, on or after January 1, 2014, a health benefit
4 plan shall utilize prior authorization forms for obtaining any prior
5 authorization for prescription drug benefits. A form shall not
6 exceed three pages in length, excluding any instructions or guiding
7 documentation and a health benefit plan may customize the content of
8 the form specific to the prescription drug for which the prior
9 authorization is being requested. A health benefit plan may make
10 the form accessible through multiple computer operating systems.
11 Additionally, upon request, the health benefit plan shall make a
12 copy of the form available to the Insurance Commissioner.

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 369 of Title 59, unless there is
15 created a duplication in numbering, reads as follows:

16 Plan B One-Step, or its generic equivalent, also known as the
17 "morning-after" emergency contraceptive, shall not be available to
18 women under the age of seventeen (17) without a prescription. Such
19 emergency contraceptive shall be dispensed by pharmacists to women
20 seventeen (17) years of age and older without a prescription.

21 SECTION 3. This act shall become effective July 1, 2013.

22 SECTION 4. It being immediately necessary for the preservation
23 of the public peace, health and safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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4 54-1-8023 AM 05/06/13

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