

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 3229

By: Moore

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8 COMMITTEE SUBSTITUTE

9 An Act relating to insurance; prohibiting certain  
10 insurer from terminating, or refusing to issue or  
11 renew, a physician contract under certain  
12 circumstances with exceptions; prohibiting certain  
13 actions; providing penalty for violation; providing  
14 for codification; and providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 6057.7 of Title 36, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. An insurer other than a Health Maintenance Organization  
20 issuing health benefit plans in this state shall not terminate, or  
21 refuse to issue or renew, a contract with a physician to participate  
22 in a preferred provider organization network for the reason that the  
23 physician provided the person insured under the health benefit plan  
24 a referral or name of another physician not participating in a  
preferred provider organization network, unless the referring

1 physician failed to provide advance notification to the insured that  
2 the provider or facility to whom the insured is being referred is  
3 not a participant in the insured's health benefit plan's preferred  
4 provider organization network.

5 B. An insurance carrier offering a preferred provider benefit  
6 plan shall not take any action directly or indirectly that would  
7 cause a patient to not consider utilizing his or her own benefits or  
8 to be confused about or intimidated into not utilizing his or her  
9 own benefits for a course of treatment as recommended by his or her  
10 physician.

11 C. For any violation of this section, the Insurance  
12 Commissioner shall, after notice and opportunity for a hearing,  
13 subject an insurer to an administrative penalty of not less than One  
14 Thousand Dollars (\$1,000.00) for each occurrence. Such  
15 administrative penalty may be enforced in the same manner in which  
16 civil judgments may be enforced. The penalties collected shall be  
17 placed in the Insurance Commissioner's Revolving Fund.

18 SECTION 2. This act shall become effective November 1, 2018.  
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