

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3229

By: Moore

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9                               COMMITTEE SUBSTITUTE

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

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

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

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

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

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

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

19 SECTION 2. This act shall become effective November 1, 2018.  
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21 COMMITTEE REPORT BY: COMMITTEE ON INSURANCE, dated 03/01/2018 - DO  
22 PASS, As Amended.  
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