

1 ENGROSSED SENATE  
2 BILL NO. 508

By: Newhouse of the Senate

3 and

4 McEntire of the House

5  
6 [ health insurance - appeals - response -  
7 codification - effective date ]  
8

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

10 SECTION 1. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 6060.30 of Title 36, unless  
12 there is created a duplication in numbering, reads as follows:

13 A. Any health benefit plan that receives, from a physician or  
14 hospital, an appeal of the denial of a claim or a dispute regarding  
15 payment of a claim by the insurer shall specifically address the  
16 details of the appeal or payment dispute and provide, in writing,  
17 the reason or reasons for the denial of coverage or additional  
18 payment.

19 1. The written denial of coverage from the health benefit plan  
20 shall include information regarding the appropriate contact for a  
21 peer-to-peer discussion of the denial of a service.

22 2. The written response to a payment dispute shall include  
23 information regarding the appropriate contact for a technical or  
24 coding expert.

1 B. As used in this section:

2 1. "Health benefit plan" means a plan, subject to the  
3 limitations of paragraph 2 of subsection C of Section 6060.4 of  
4 Title 36 of the Oklahoma Statutes, that:

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

22 2. "Hospital" means any institution, place, building or agency,  
23 public or private, whether organized for profit or not, devoted  
24 primarily to the maintenance and operation of facilities for the

1 diagnosis, treatment or care of patients admitted for overnight stay  
2 or longer in order to obtain medical care, surgical care,  
3 obstetrical care, or nursing care for illness, disease, injury,  
4 infirmity, or deformity. The term "hospital" includes general  
5 medical surgical hospitals, specialized hospitals, critical access  
6 and emergency hospitals, and birthing centers, as defined in  
7 paragraphs 2 through 7 of Section 1-701 of Title 63 of the Oklahoma  
8 Statutes; and

9 3. "Physician" means a person holding a valid license to  
10 practice medicine and surgery, osteopathic medicine, podiatric  
11 medicine, dentistry, chiropractic or optometry, pursuant to the  
12 state licensing provisions of Title 59 of the Oklahoma Statutes.

13 SECTION 2. This act shall become effective November 1, 2019.  
14 Passed the Senate the 13th day of March, 2019.

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16 \_\_\_\_\_  
17 Presiding Officer of the Senate

18 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
19 2019.

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22 Presiding Officer of the House  
23 of Representatives  
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