

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3029

By: Bush

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to health care; creating the
10 Transparency in Health Care Prices Act; defining
11 terms; requiring health care providers to make
12 available the health care prices for certain health
13 care services; providing for disclosure; providing
14 exception; allowing for health care price disclosure
15 upon request; requiring health care facility to make
16 available health care prices for certain health care
17 services; providing for disclosure; allowing
18 disclosure of basis for health care prices;
19 prohibiting review of health care prices by agency;
20 declaring intent; providing for codification; and
21 providing an effective date.

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 6572 of Title 36, unless there
25 is created a duplication in numbering, reads as follows:

26 This act shall be known and may be cited as the "Transparency in
27 Health Care Prices Act".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 6573 of Title 36, unless there
3 is created a duplication in numbering, reads as follows:

4 As used in the Transparency in Health Care Prices Act:

5 1. "Agency" means a government department, agency or a
6 government-created entity;

7 2. "CPT code" means the Current Procedural Terminology code, or
8 its successor code, as developed and copyrighted by the American
9 Medical Association or its successor entity;

10 3. "Health care facility" means a facility licensed or certified
11 by the State Department of Health, but shall not include a nursing
12 care facility, assisted living facility or home care agency;

13 4. "Health care price" means the cash price that a health care
14 provider or health care facility will charge a recipient for health
15 care services that will be rendered. Health care price is the price
16 charged for the standard service for the particular diagnosis and
17 does not include any amount that may be charged for complications or
18 exceptional treatment;

19 5. "Health care provider" means a person who is licensed,
20 certified or registered by this state to provide health care
21 services or a medical group, independent practice association or
22 professional corporation providing health care services;

23 6. "Health care services" or "services" means services included
24 in, or incidental to, furnishing to an individual:

- a. medical, mental, dental or optometric care or hospitalization, or
- b. other services for the purpose of preventing, alleviating, curing or healing a physical or mental illness or injury;

7. "Recipient" means an individual who receives health care services from a health care provider or health care facility; and

8. "Specialty service line" means health care services rendered by a specific medical specialty to include, but not be limited to:

- a. general surgery,
- b. obstetrics or gynecology,
- c. cardiology,
- d. urology,
- e. ophthalmology,
- f. neurology/neurosurgery,
- g. orthopedics,
- h. hematology/oncology,
- i. pathology,
- j. radiology,
- k. emergency medicine,
- l. physical therapy, or
- m. another specialty service provided by a health care facility.

1 SECTION 3. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 6574 of Title 36, unless there
3 is created a duplication in numbering, reads as follows:

4 A. A health care provider shall make available to the public,
5 in a single document, either electronically or by posting
6 conspicuously on the provider's website if one exists, the health
7 care prices for at least the twenty most common health care services
8 the health care provider provides. If the health care provider, in
9 the normal course of his or her practice, regularly provides fewer
10 than twenty health care services, the health care provider shall
11 make available the health care prices for the health care services
12 the provider most commonly provides.

13 B. The health care provider shall identify the services by:

14 1. A Current Procedural Terminology code or other coding system
15 commonly used by the health care provider and accepted as a national
16 standard for billing, and

17 2. A plain English description.

18 C. The health care provider shall update the document as
19 frequently as the health care provider deems appropriate, but at
20 least annually.

21 SECTION 4. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 6575 of Title 36, unless there
23 is created a duplication in numbering, reads as follows:

1 A. A health care facility shall make available to the public,
2 in a single document, either electronically or by posting
3 conspicuously on its website if one exists, the health care prices
4 for at least:

5 1. The twenty most used diagnosis-related group codes or other
6 codes for inpatient health care services per specialty service line
7 used by the health care facility for billing, and

8 2. The twenty most used outpatient CPT codes or health care
9 services procedure codes per specialty service line used for
10 billing.

11 B. A health care facility shall include with the health care
12 prices provided pursuant to subsection A of this section a plain
13 English description of the services for which the health care price
14 is provided.

15 C. The health care facility shall update the document as
16 frequently as it deems appropriate, but at least annually.

17 SECTION 5. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 6576 of Title 36, unless there
19 is created a duplication in numbering, reads as follows:

20 A. Nothing in the Transparency in Health Care Prices Act shall
21 require a health care facility or health care provider to report its
22 health care prices to any agency for review, filing or other
23 purposes, or for applications for health care professional loan
24 repayment. The Transparency in Health Care Prices Act shall not

1 grant any agency the authority to approve, disapprove or limit a
2 health care facility's or health care provider's health care prices
3 or change its health care prices.

4 B. Nothing in this act shall impair contracts between private
5 parties.

6 SECTION 6. This act shall become effective November 1, 2020.
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8 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/26/2020 - DO PASS,
9 As Amended.
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