

BILL SUMMARY
2nd Session of the 57th Legislature

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| Bill No.: | HB3483 |
| Version: | CS |
| Request Number: | 11558 |
| Author: | Rep. McEntire |
| Date: | 3/4/2020 |
| Impact: | EGID: \$0 anticipated |

Research Analysis

The CS to HB 3483 creates the Oklahoma Surprise Billing Protection Act. The act prohibits health care providers from balance billing patients. The act defines balance billing as an out-of-network health care provider billing a patient the difference of billed charge and amount paid by the patient's health insurer. The bill requires insurers to reimburse out-of-network providers for emergency care, without requiring a prior authorization. Insureds may not be liable for additional charges for nonemergency care if the insured chose an in-network facility and did not have the opportunity to select an in-network provider, or if the medically necessary care is unavailable within their health plan. Out-of-network providers at an in-network facility must provide notice to insureds prior to care including estimated charges and a statement that services may not be covered.

The measure sets surprising billing reimbursement rates at 130% of the Employees Group Insurance Division's (EGID) current contracted rates or rates established from the statewide health information exchange all-payer claims database. EGID is directed to post all contracted rates on its website.

Health insurers are directed to notify in-network providers of covered services. Further, contracts between insurers and providers must contain a hold harmless provision for patient protection. An in-network provider is prohibited from collecting any amount owed from a covered patient.

The State Department of Health is directed to require health facilities to post on their websites information related to their contracts with insurers for services and a disclosure statement about patients' potential risk of being balance billed.

Out-of-network providers and health insurers may request mediation to settle a claim. Participating parties must meet via teleconference within 30 days of mediation being requested. For mediations involving multiple claims, the total amount may not exceed \$5,000.

Prepared By: Anna Rouw

Fiscal Analysis

After analysis, the measure has \$0 fiscal impact anticipated to the Employee Group Insurance Division (EGID), of the Oklahoma Office of Management and Enterprise Services.

Prepared By: Jenny Mobley

Other Considerations

None.

