

1 ENGROSSED SENATE
2 BILL NO. 1646

By: Daniels of the Senate

and

McDugle of the House

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7 [health insurance - reporting certain debt to credit
8 bureaus - information on billing documents -
codification - effective date]

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

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 6980 of Title 36, unless there
14 is created a duplication in numbering, reads as follows:

15 A. No medical service or care entity, nor their agent, shall
16 report a healthcare expense debt to a credit bureau or pursue
17 collection activities or any other adverse financial action, except
18 if the entity or agent can demonstrate that the person liable for
19 the medical debt was presented with and agreed to the total cost of
20 all healthcare services to be provided prior to agreeing to receive
21 the services.

22 1. The total cost shall include all services performed by the
23 medical service or care entity and its staff, as well as any
24 authorized services provided by a contractor, affiliate or any other

1 third party who provided services in the facility, and the total
2 cost to be billed shall include out-of-network providers.

3 2. The total cost of service shall be presented to the patient
4 separately from all other forms, information and paperwork. It
5 shall be written in a readable font, plain language and shall be
6 prominently and conspicuously displayed on the first page of the
7 document in which it is contained.

8 B. In no event shall any medical service or care entity, nor
9 their agent, report a healthcare expense debt to a credit bureau or
10 pursue collection activities or any other adverse financial action
11 for healthcare services provided due to complications from the
12 services originally intended or rendered.

13 C. Failure to comply with the provisions of this act shall be
14 grounds for dismissal of any collection suit or garnishment
15 proceeding and may be asserted as an affirmative defense to any such
16 action.

17 D. For purposes of this section, "medical service or care
18 entity" shall include, but not be limited to, a medical care
19 corporation, health care corporation, hospital service association,
20 medical service corporation, health care maintenance organization,
21 not-for-profit hospital, insurer, insurance company or any other
22 third-party payer of medical expenses.

23 SECTION 2. This act shall become effective November 1, 2020.

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1 Passed the Senate the 12th day of March, 2020.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2020.

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9 Presiding Officer of the House
10 of Representatives