

CONFERENCE COMMITTEE REPORT SUMMARY

Measure HB2809

Principal Authors: Representative Sneed
Senator Quinn

General Subject Matter: Insurance

General Description of **Major Differences** between the current report and the version last seen and voted on in the House and the sections in which such differences are located:

√ Changes from engrossed House measure which were made in the Senate and contained in conference committee report/substitute (applies *only* to House measures):

None.

√ Changes made in conference:

The Conference Committee Substitute creates the “Oklahoma Right to Shop Act.” The CCS requires an insurance carrier to offer a shared savings incentive program to an enrollee when the enrollee obtains a comparable health care service. It also authorizes financial incentives to be calculated as a percentage of the difference in allowed amounts to the average, as a flat dollar amount or any other reasonable methodology approved by the Insurance Department. The carrier is required to provide the financial incentive as a cash payment to the enrollee or credit toward the annual in-network deductible and out-of-pocket limit of the enrollee. The CCS provides the requirements for insurance carriers that offer a shared savings incentive program. An enrollee shall not be required to participate in a shared savings incentive program.

An enrollee of a health benefit plan that provides out-of-network benefits are authorized to use the shared savings incentive program with an out-of-network provider with certain conditions.

The Insurance Department is required to promulgate rules for the implementation of the Oklahoma Right to Shop Act. The CCS requires the Office of Management and Enterprise Services (OMES) to conduct an analysis no later than November 1, 2022 of the cost-effectiveness of a shared savings incentive program. If a program is found to be cost-effective, it is required to be implemented as part of the next open enrollment. OMES is also required to communicate its rationale for its decision to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the chairs of the relevant legislative committees in writing. Lastly, the CCS declares an emergency.

Date Prepared: 5-18-21
Prepared by: Dan Brooks