

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 548

6 By: Daniels

7 COMMITTEE SUBSTITUTE

8 An Act relating to healthcare expenses; prohibiting
9 certain healthcare entities from reporting certain
10 debt to credit bureaus; providing exception to
11 prohibition; specifying what is included in total
12 cost of healthcare services; requiring certain
13 information on billing documents; setting maximum
14 limit on certain charges under certain condition;
15 establishing violation of act as grounds for
16 dismissal of and affirmative defense to certain legal
17 proceedings; defining term; providing for
18 codification; and providing an effective date.

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

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

23 A. No medical service or care entity, nor their agent, shall
24 report a healthcare expense debt to a credit bureau or pursue
collection activities or any other adverse financial action, except
if the entity or agent can demonstrate that the person liable for
the medical debt was presented with and agreed to a good faith

1 estimate of the total cost of all healthcare services to be provided
2 prior to agreeing to receive the services.

3 1. The total cost shall include all services performed by the
4 medical service or care entity and its staff, as well as any
5 authorized services provided by a contractor, affiliate or any other
6 third party who provided services in the facility, and the total
7 cost to be billed shall include out-of-network providers.

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

13 B. In cases in which the patient must receive emergency care
14 and is not able to receive a good faith estimate of healthcare
15 services before vital emergency medical services are rendered, no
16 medical service or health care entity shall charge the person liable
17 for the medical debt more than one hundred fifty percent (150%) of
18 the Medicare rates for the emergency services rendered.

19 C. Failure to comply with the provisions of this act shall be
20 grounds for dismissal of any collection suit or garnishment
21 proceeding and may be asserted as an affirmative defense to any such
22 action.

23 D. For purposes of this section, "medical service or care
24 entity" shall include, but not be limited to, a medical care

1 corporation, health care corporation, hospital service association,
2 medical service corporation, health care maintenance organization,
3 not-for-profit hospital, insurer, insurance company or any other
4 third-party payer of medical expenses.

5 SECTION 2. This act shall become effective November 1, 2021.

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7 58-1-1896 NP 2/25/2021 11:38:52 AM

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