

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. 1

COMMITTEE AMENDMENT

(Date)

move to amend Senate Bill No. 1153, by the attached floor substitute (Request #3721) for the title, enacting clause and entire body of the measure.

Submitted by:

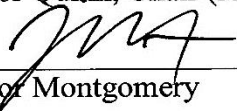


Senator Montgomery

I hereby grant permission for the floor substitute to be adopted.



Senator Quinn, Chair (required)



Senator Montgomery

Senator Brooks

Senator Hamilton

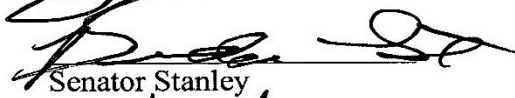
Senator Jett

Senator Treat, President Pro Tempore

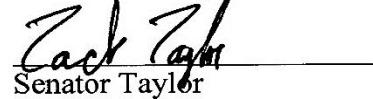
Senator Matthews



Senator Newhouse



Senator Stanley



Senator Taylor

Note: Retirement and Insurance committee majority requires five (5) members' signatures.

Montgomery-RJ-FS-SB1153
3/22/2022 1:31 PM

(Floor Amendments Only) Date and Time Filed: 3-23-22 3:12 pm *fd*

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1153

By: Montgomery of the Senate

and

Sneed of the House

6
7
8
9 FLOOR SUBSTITUTE

10 [health insurance - Oklahoma Health Insurance
11 Mandate Legislation Actuarial Analysis Act -
12 codification - effective date]

13
14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 6012 of Title 36, unless there
17 is created a duplication in numbering, reads as follows:

18 This act shall be known and may be cited as the "Oklahoma Health
19 Insurance Mandate Legislation Actuarial Analysis Act".

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 6013 of Title 36, unless there
22 is created a duplication in numbering, reads as follows:

23 As used in this act:
24

1 1. "Amendment" means any amendment including a substitute bill,
2 which includes a mandate on a health plan, and is made:

3 a. by any committee, author, or committee member of the
4 Senate or House of Representatives committee, as a
5 committee amendment or substitute bill,

6 b. by any member of the Legislature, as a floor amendment
7 or substitute bill, or

8 c. by a conference committee of the Senate or House of
9 Representatives;

10 2. "Health plan" means any plan or arrangement as defined in
11 subsection C of Section 6060.4 of Title 36 of the Oklahoma Statutes;

12 3. "Legislative Actuary" means the firm or entity that enters
13 into a contract with the Legislative Service Bureau pursuant to
14 Section 452.15 of Title 74 of the Oklahoma Statutes to provide the
15 actuarial services and other duties provided for in this act;

16 4. "Mandate" means required coverage for services specified by
17 law, treatments, benefits, productions, drugs, conditions,
18 providers, provider reimbursement levels, copay structures, or
19 utilization of specific administrative services;

20 5. "Mandate bill" means any bill or joint resolution introduced
21 or amended by a member or a committee of the Legislature that
22 creates or amends any law mandating a health plan to provide
23 coverage; and

24

1 6. "Physician" means a doctor of medicine or a doctor of
2 osteopathic medicine licensed by and in good standing with the State
3 Board of Medical Licensure and Supervision, the State Board of
4 Osteopathic Examiners, or the Board of Podiatric Medical Examiners.

5 SECTION 3. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 6014 of Title 36, unless there
7 is created a duplication in numbering, reads as follows:

8 A. Any bill or joint resolution mandating a health plan to
9 provide coverage may be introduced according to the applicable
10 deadlines established by the Senate or the House of Representatives
11 during the regular session.

12 B. When a mandate bill is introduced, it shall be assigned to
13 the respective Senate or House of Representatives standing committee
14 or subcommittee that is responsible for the consideration of health
15 insurance legislation. If a majority of the total membership of the
16 committee is opposed to the bill on its merits, no actuarial
17 investigation provided for in this act shall be necessary and the
18 bill shall not be reported out by the committee or considered by the
19 Legislature. If a majority of the committee votes in favor of an
20 actuarial investigation of the bill, the investigation shall be
21 required as provided in this act. No mandate bill may be reported
22 out of the committee or considered by the Senate or House of
23 Representatives without an actuarial investigation.

24

1 C. A bill or joint resolution mandating a health plan to
2 provide coverage that the assigned committee may consider may only
3 be amended by the committee prior to reporting the measure out for
4 an actuarial investigation.

5 D. Immediately after a mandate bill has been considered and the
6 committee has voted in favor of an actuarial investigation, the
7 chair of the committee or applicable legislative staff shall
8 transmit an exact copy of the bill or substitute bill to the
9 Legislative Actuary. The submission of the bill to the Actuary
10 shall have attached a letter signed by the chair of the committee
11 requesting the Actuary to complete an actuarial investigation of the
12 bill.

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 6015 of Title 36, unless there
15 is created a duplication in numbering, reads as follows:

16 A. If an actuarial investigation of a bill or joint resolution
17 mandating a health plan to provide coverage is requested under this
18 act, it shall be the duty of the Legislative Actuary to complete his
19 or her investigation not later than the end of the third week of
20 committee meetings for reporting bills out of their House of origin
21 during the regular legislative session during which the request for
22 the actuarial investigation is made. The applicable staff member of
23 the Senate or House of Representatives shall notify the Legislative
24 Actuary of all necessary dates pursuant to this act not later than

1 seven (7) days following the deadline for bills to be introduced for
2 the regular session.

3 B. The completed actuarial investigation shall be submitted by
4 the Actuary to the applicable legislative staff, the chair of the
5 committee who requested the investigation, and the author of the
6 measure. It shall include a summary of the findings of the Actuary.
7 An actuarial investigation conducted pursuant to this act shall
8 consider the predicted effects of the legislative measure during the
9 five (5) years immediately following the effective date of the
10 measure including:

11 1. An estimate of the number of Oklahoma residents who will be
12 directly affected by the proposed legislation;

13 2. Estimates of changes in the rates of utilization of specific
14 health care services that may result from the proposed legislation;

15 3. Estimates concerning any changes in consumer cost sharing
16 that would result from the proposed legislation;

17 4. Estimates of any increases in premiums charged to covered
18 persons or employers for health benefit plans offered that would
19 result from the proposed legislation, in terms of percentage
20 increase and in terms of per-member, per-month charges;

21 5. An estimate of the increase in the cost of coverage, if any,
22 in group benefit plans under Section 1301 et seq. of Title 74 of the
23 Oklahoma Statutes;

24

1 6. An estimate of the increase in cost of coverage, if any,
2 that would result from the proposed legislation for employers with
3 fewer than one hundred employees, employers with at least one
4 hundred employees but fewer than five hundred employees, and
5 employers with five hundred or more employees;

6 7. An estimate of any potential long-term cost savings
7 associated with any new health benefit or service described in the
8 proposed legislation;

9 8. Identification of any potential health benefits that would
10 result from any new health benefit or service described in the
11 proposed legislation; and

12 9. An estimation and identification of any potential savings to
13 the state and to taxpayers.

14 C. The chair of the committee, or applicable legislative staff,
15 upon receipt of the information provided for under subsection B of
16 this section, shall cause the summary of the actuarial investigation
17 to be attached to all copies of the version of the bill that was
18 submitted to the Actuary and shall make the bill available to
19 committee members, and upon request, any legislators or interested
20 parties.

21 D. When a bill or joint resolution mandating a health plan to
22 provide coverage has had an actuarial investigation pursuant to this
23 act, the bill may be considered by the committee who initially

24

1 reported the bill out for an actuarial investigation prior to the
2 deadline for measures to be reported out of the committee of origin.

3 E. After a vote by the committee of origin to report a bill out
4 for an actuarial investigation, any amendment to a mandate bill
5 shall be out of order and shall not be allowed either by a committee
6 or by the Senate or House of Representatives.

7 F. The enrolled act resulting from a bill that is subject to
8 the legislative procedures provided for in this act shall have
9 attached thereto the original or a true and correct copy of all
10 certificates and summaries of actuarial investigations submitted by
11 the Legislative Actuary pursuant to the requirements of this act.

12 SECTION 5. AMENDATORY 74 O.S. 2021, Section 452.15, is
13 amended to read as follows:

14 Section 452.15. A. The Legislative Service Bureau is
15 authorized and directed to enter into a contract with a person or
16 firm for the purposes of performing the services and duties of the
17 Legislative Actuary as provided for in the Oklahoma Pension
18 Legislation Actuarial Analysis Act and the Oklahoma Health Insurance
19 Mandate Legislation Actuarial Analysis Act.

20 B. The person or firm who shall perform the duties of the
21 Legislative Actuary for an analysis for the Oklahoma Pension
22 Legislation Actuarial Analysis Act shall:
23
24

1 1. Be a member of the American Academy of Actuaries, an
2 Associate or Fellow of the Society of Actuaries or an enrolled
3 actuary; and

4 2. Have substantially provided actuarial services for large,
5 public retirement systems.

6 C. The person or firm who shall perform the duties of the
7 Legislative Actuary for an analysis for the Oklahoma Health
8 Insurance Mandate Legislation Actuarial Analysis Act shall:

9 1. Be a member of the American Academy of Actuaries, an
10 Associate or Fellow of the Society of Actuaries or an enrolled
11 actuary;

12 2. Have substantially provided actuarial services for a large
13 health plan when selected for an analysis for the Oklahoma Health
14 Insurance Mandate Legislation Actuarial Analysis Act; and

15 3. Not currently be employed by or have any contract for
16 employment with an insurer offering a health plan in this state, as
17 defined in this act.

18 SECTION 6. This act shall become effective November 1, 2022.

19

20 58-2-3721 RJ 3/23/2022 3:45:38 PM

21

22

23

24