

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1264

By: Stanley of the Senate

and

Miller of the House

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7  
8 COMMITTEE SUBSTITUTE

9 An Act relating to health insurance; defining terms;  
10 requiring coverage of certain genetic testing and  
11 cancer imaging; specifying terms of coverage;  
12 providing certain exclusions; providing for  
13 codification; and providing an effective date.

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 6060.5b of Title 36, unless  
17 there is created a duplication in numbering, reads as follows:

18 A. For the purposes of this section:

19 1. "Clinical utility" means the test result provides  
20 information that is used in the formulation of a treatment or  
21 monitoring strategy that informs a patient's outcome and impacts the  
22 clinical decision. The most appropriate test may include both  
23 information that is actionable and some information that cannot be  
24 immediately used in the formulation of a clinical decision;

1           2. "Evidence-based cancer imaging" means evidence-based cancer  
2 imaging modalities in accordance with the most recent version of the  
3 National Comprehensive Cancer Network (NCCN) clinical practice  
4 guidelines;

5           3. "Genetic testing for an inherited mutation" means germline  
6 multi-gene testing for an inherited mutation associated with an  
7 increased risk of cancer in accordance with NCCN clinical practice  
8 guidelines;

9           4. "Health benefit plan" means a health benefit plan as defined  
10 pursuant to Section 6060.4 of Title 36 of the Oklahoma Statutes; and

11           5. "Health care provider" means any physician, hospital, or  
12 other entity or person that is licensed or otherwise authorized in  
13 this state to furnish health care services.

14           B. Any health benefit plan including the Oklahoma Employees  
15 Insurance Plan that is offered, issued, or renewed in this state on  
16 or after the effective date of this act shall provide coverage for:

17           1. Clinical genetic testing for an inherited gene mutation for  
18 individuals with a personal or family history of cancer that is  
19 recommended by a health care provider in accordance with NCCN  
20 clinical practice guideline, when such test provides clinical  
21 utility as demonstrated by medical and scientific evidence  
22 including, but not limited to:

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1 a. labeled indications for tests that are approved or  
2 cleared by the United States Food and Drug  
3 Administration,

4 b. Centers for Medicare and Medicaid Services national  
5 coverage determinations or Medicare administrative  
6 contractor local coverage determinations, or

7 c. nationally recognized clinical practice guidelines;  
8 and

9 2. Evidence-based cancer imaging for individuals with an  
10 increased risk of cancer as recommended by the NCCN clinical  
11 practice guidelines.

12 C. Coverage under this section shall not be subject to any  
13 annual deductibles, copayments, or coinsurance limits as established  
14 for all covered benefits under the health benefit plan.

15 D. If application of this section would result in health  
16 savings account ineligibility under Section 223 of the federal  
17 Internal Revenue Code, as amended, the provisions of this section  
18 shall only apply to health savings accounts with qualified high  
19 deductible health plans with respect to the deductible of such a  
20 plan after the enrollee has satisfied the minimum deductible.  
21 Provided, however, the provisions of this section shall apply to  
22 items or services that are preventive care pursuant to Section  
23 223(c)(2)(C) of the federal Internal Revenue Code, as amended,  
24 regardless of whether the minimum deductible has been satisfied.

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SECTION 2. This act shall become effective November 1, 2024.

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