

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 SENATE BILL NO. 1264

By: Stanley of the Senate

and

6 Miller of the House

7  
8  
9 COMMITTEE SUBSTITUTE

10 [ health insurance - genetic testing - cancer imaging  
11 - coverage - exclusions - codification - effective  
12 date ]

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15 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

16 SECTION 1. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 6060.5b of Title 36, unless  
18 there is created a duplication in numbering, reads as follows:

19 A. For the purposes of this section:

20 1. "Clinical utility" means clinical utility as defined  
21 pursuant to Section 6060.5a of Title 36 of the Oklahoma Statutes;

22 2. "Evidence-based cancer imaging" means appropriate  
23 preventative screening and imaging supported by evidence;

1        3. "Genetic testing for an inherited mutation" means multi-gene  
2 testing for an inherited mutation associated with an increased risk  
3 of cancer;

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

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

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

12        1. Clinical genetic testing for an inherited gene mutation for  
13 individuals with a personal or family history of cancer when such  
14 test provides clinical utility and when ordered or recommended by a  
15 health care provider in accordance with medical and scientific  
16 evidence including, but not limited to:

17            a. the most recent version of the National Comprehensive  
18 Cancer Network (NCCN) clinical practice  
19 recommendations that are level 2a or higher,

20            b. Centers for Medicare and Medicaid Services national  
21 coverage determinations or Medicare administrative  
22 contractor local coverage determinations, or

23            c. nationally recognized clinical practice guidelines;  
24 and

1           2. Evidence-based cancer imaging for individuals with an  
2 increased risk of cancer when such test provides clinical utility  
3 and when ordered or recommended by a health care provider in  
4 accordance with the most recent version of the NCCN clinical  
5 practice recommendations that are level 2a or higher, or in  
6 accordance with other nationally recognized clinical practice  
7 guidelines.

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

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

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

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