

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1264

By: Stanley of the Senate

and

6 Miller of the House

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:

23
24

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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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

59-2-3514 RD 2/20/2024 4:12:11 PM