

OKLAHOMA STATE SENATE
CONFERENCE
COMMITTEE REPORT

May 20, 2024

Mr President:

Mr Speaker:

The Conference Committee, to which was referred

SB1264

By: Stanley of the Senate and Miller, Provenzano, et al. of the House

Title: Health insurance, requiring coverage of certain genetic testing and cancer imaging. Effective date.


_____ together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. By restoring the Enacting Clause.
2. By restoring the title as follows:

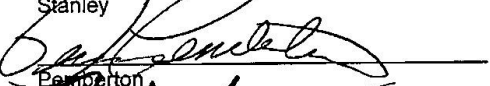
"An Act relating to health insurance; defining terms; requiring coverage of certain genetic testing and cancer imaging, specifying terms of coverage; providing certain exclusions; providing for codification; and providing an effective date.

Respectfully submitted,


SENATE CONFEREES




Stanley



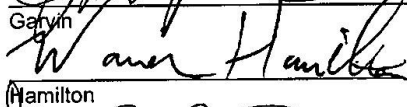
Pemberton




Coleman



Garvin



Hamilton



Young

HOUSE CONFEREES

Conference Committee on GCCA

Senate Action _____ Date _____ House Action _____ Date _____

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1264 By: Stanley of the Senate
3 and
4 Miller of the House
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7 [health insurance - coverage - exclusions -
8 codification - effective date]
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12 AUTHOR: Add the following House Coauthors: Provenzano, Munson,
13 Townley, Baker, and West (Tammy)

14 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill
15 and insert:
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17 "[health insurance - genetic testing - cancer
18 imaging - coverage - exclusions - codification -
19 effective date]
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22 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~
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1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 6060.5b of Title 36, unless
3 there is created a duplication in numbering, reads as follows:

4 A. For the purposes of this section:

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

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

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

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

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

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

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

- 1 a. the most recent version of the National Comprehensive
2 Cancer Network (NCCN) clinical practice
3 recommendations that are level 2a or higher,
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 when such test provides clinical utility
11 and when ordered or recommended by a health care provider in
12 accordance with the most recent version of the NCCN clinical
13 practice recommendations that are level 2a or higher, or in
14 accordance with other nationally recognized clinical practice
15 guidelines.

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

19 D. If application of this section would result in health
20 savings account ineligibility under Section 223 of the federal
21 Internal Revenue Code, as amended, the provisions of this section
22 shall only apply to health savings accounts with qualified high
23 deductible health plans with respect to the deductible of such a
24 plan after the enrollee has satisfied the minimum deductible.

1 Provided, however, the provisions of this section shall apply to
2 items or services that are preventive care pursuant to Section
3 223(c)(2)(C) of the federal Internal Revenue Code, as amended,
4 regardless of whether the minimum deductible has been satisfied.

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

6 Passed the House of Representatives the 17th day of April, 2024.

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9 _____
10 Presiding Officer of the House of
Representatives

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11 Passed the Senate the ____ day of _____, 2024.

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Presiding Officer of the Senate

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1 ENGROSSED SENATE
2 BILL NO. 1264

By: Stanley of the Senate

3 and

4 Miller of the House

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6 [health insurance - coverage - exclusions -
7 codification - effective date]
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9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 3. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 6060.5b of Title 36, unless
12 there is created a duplication in numbering, reads as follows:

13 A. For the purposes of this section:

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

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

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

21 4. "Health benefit plan" means a health benefit plan as defined
22 pursuant to Section 6060.4 of Title 36 of the Oklahoma Statutes; and
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1 5. "Health care provider" means any physician, hospital, or
2 other entity or person that is licensed or otherwise authorized in
3 this state to furnish health care services.

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

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

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

15 b. Centers for Medicare and Medicaid Services national
16 coverage determinations or Medicare administrative
17 contractor local coverage determinations, and

18 c. nationally recognized clinical practice guidelines;
19 and

20 2. Evidence-based cancer imaging for individuals with an
21 increased risk of cancer when such test provides clinical utility
22 and when ordered or recommended by a health care provider in
23 accordance with the most recent version of the NCCN clinical
24 practice recommendations that are level 2a or higher, or in

1 accordance with other nationally recognized clinical practice
2 guidelines.

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

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

16 SECTION 4. This act shall become effective November 1, 2024.

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1 Passed the Senate the 14th day of March, 2024.

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Presiding Officer of the Senate

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5 Passed the House of Representatives the ____ day of _____,

6 2024.

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Presiding Officer of the House
of Representatives

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