



1 assignment of unique identifier; providing for  
2 confidentiality, privacy, and security of certain  
3 data; listing circumstances under which certain data  
4 may be made available; prohibiting certain use or  
5 disclosure of data; providing certain construction;  
6 authorizing certain penalties; limiting amount of  
7 penalties; providing for certain remittance or  
8 mitigation of penalties; requiring the Insurance  
9 Department to remit certain proceeds to the Oklahoma  
10 Health Care Authority; specifying allowed uses of  
11 certain funds; amending 51 O.S. 2021, Section 24A.3,  
12 as last amended by Section 1, Chapter 404, O.S.L.  
13 2025 (51 O.S. Supp. 2025, Section 24A.3), which  
14 relates to the Oklahoma Open Records Act; modifying  
15 certain definition; providing for codification; and  
16 declaring an emergency.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 1-134.1 of Title 63, unless  
20 there is created a duplication in numbering, reads as follows:

21 Sections 4 through 7 of this act shall be known and may be cited  
22 as the "Oklahoma Health Care Transparency Initiative Act of 2026".  
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1 SECTION 2. AMENDATORY Section 1, Chapter 250, O.S.L.  
2 2022 (63 O.S. Supp. 2025, Section 1-132.1), is amended to read as  
3 follows:

4 Section 1-132.1. A. There is hereby created the Office of the  
5 State Coordinator for Health Information Exchange within the  
6 Oklahoma Health Care Authority.

7 B. The Office shall have the power and duty to ~~oversee~~:

8 1. Oversee the state-designated entity for health information  
9 exchange, as described under Section 1-133 of ~~Title 63 of the~~  
10 ~~Oklahoma Statutes~~ this title; and

11 2. Oversee the Oklahoma Health Care Transparency Initiative.

12 C. The Office shall consist of the State Coordinator for Health  
13 Information Exchange, who shall be appointed by and serve at the  
14 pleasure of the Administrator of the Authority, and such other  
15 employees of the Authority as the Administrator may assign to the  
16 Office.

17 SECTION 3. AMENDATORY 63 O.S. 2021, Section 1-133, as  
18 last amended by Section 1, Chapter 243, O.S.L. 2024 (63 O.S. Supp.  
19 2025, Section 1-133), is amended to read as follows:

20 Section 1-133. A. As used in this section:

21 1. "Health information exchange" means the electronic movement  
22 of health-related information among organizations according to  
23 nationally recognized standards for purposes including, but not  
24 limited to, payment, treatment, and administration; and

1           2. "Health information exchange organization" means an entity  
2 whose primary business activity is health information exchange and  
3 which is governed by its stakeholders.

4           B. The State of Oklahoma:

5           1. Shall designate a health information exchange organization  
6 as the state-designated entity for health information exchange;

7           2. Shall establish a transition plan to ensure continued  
8 operation of the health information exchange; and

9           3. May temporarily serve as the state-designated entity as part  
10 of the transition plan described in paragraph 2 of this subsection.

11           C. ~~Beginning July 1, 2023, all~~ 1. All health care providers as  
12 defined by the rules promulgated by the Oklahoma Health Care  
13 Authority Board and who are licensed by and located in this state  
14 may report data to and utilize the state-designated entity. The  
15 Office of the State Coordinator for Health Information Exchange  
16 shall begin implementation of this requirement on or before July 1,  
17 2026.

18           2. ~~The Office of the State Coordinator for Health Information~~  
19 ~~Exchange~~ may, as provided by rules promulgated by the Board, allow  
20 exemptions from the requirement provided by paragraph 1 of this  
21 subsection on the basis of:

22           a. financial hardship,

23           b. size of the practice, ~~or~~

24           c. technological capability ~~of a,~~



1 F. Patient-specific protected health information shall only be  
2 disclosed in compliance with relevant state or federal privacy laws,  
3 rules, regulations, or policies including, but not limited to, the  
4 Health Insurance Portability and Accountability Act of 1996.

5 G. The Oklahoma Health Care Authority Board shall promulgate  
6 rules to implement the provisions of this section.

7 SECTION 4. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 1-134.2 of Title 63, unless  
9 there is created a duplication in numbering, reads as follows:

10 As used in the Oklahoma Health Care Transparency Initiative Act  
11 of 2026:

12 1. "Board" means the Oklahoma Health Care Authority Board;

13 2. "Claims data" means information included in an  
14 institutional, professional, or pharmacy claim or equivalent  
15 information transaction for a covered individual including the  
16 amount paid to a provider of health care services plus any amount  
17 owed by the covered individual;

18 3. "Covered individual" means a natural person who is a  
19 resident of this state and is eligible to receive medical, dental,  
20 or pharmaceutical benefits under any policy, contract, certificate,  
21 evidence of coverage, rider, binder, or endorsement that provides  
22 for or describes coverage;

23 4. "Direct personal identifiers" means information relating to  
24 a covered individual that contains primary or obvious identifiers,

1 such as the individual's name, street address, email address,  
2 telephone number, or Social Security number. Direct personal  
3 identifiers shall not include geographic or demographic information  
4 that would allow the identification of a covered individual;

5 5. "Enrollment data" means demographic information and other  
6 identifying information related to covered individuals, including  
7 direct personal identifiers;

8 6. "Office" means the Office of the State Coordinator for  
9 Health Information Exchange created under Section 1-132.1 of Title  
10 63 of the Oklahoma Statutes;

11 7. "Oklahoma Health Care Transparency Initiative" means an  
12 initiative to create a database, including ongoing all-payer claims  
13 database projects that receive and store data from a submitting  
14 entity relating to medical, dental, pharmaceutical, and other  
15 insurance claims information, unique identifiers, and geographic and  
16 demographic information for covered individuals as permitted in the  
17 Oklahoma Health Care Transparency Initiative Act of 2026, and  
18 provider files, for the purpose of implementing the Oklahoma Health  
19 Care Transparency Initiative Act of 2026;

20 8. "Protected health information" means health information as  
21 protected by the Health Insurance Portability and Accountability Act  
22 of 1996, Pub. L. No. 104-191;

23 9. "Provider" means an individual or entity licensed by the  
24 state to provide health care services;

1 10. "State-designated entity for health information exchange"  
2 or "state-designated entity" means the health information exchange  
3 organization designated by the State of Oklahoma as the state-  
4 designated entity for health information exchange under Section 1-  
5 133 of Title 63 of the Oklahoma Statutes;

6 11. a. "Submitting entity" means:

7 (1) an entity that provides health or dental  
8 insurance or a health or dental benefit plan in  
9 this state, including, but not limited to, an  
10 insurance company, medical services plan, managed  
11 care organization, hospital plan, hospital  
12 medical service corporation, health maintenance  
13 organization, or fraternal benefit society,  
14 provided that the entity has covered individuals  
15 and the entity had at least two thousand (2,000)  
16 covered individuals in the previous calendar  
17 year,

18 (2) a health benefit plan offered or administered by  
19 or on behalf of the state or an agency or  
20 instrumentality of the state, including, but not  
21 limited to, benefits administered by a managed  
22 care organization, notwithstanding the number of  
23 covered individuals in the previous year,  
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- 1 (3) a health benefit plan offered or administered by  
2 or on behalf of the federal government with the  
3 agreement of the federal government,  
4 (4) the Workers' Compensation Commission,  
5 (5) any other entity providing a plan of health  
6 insurance or health benefits subject to state  
7 insurance regulation, or a third-party  
8 administrator; provided, that the entity has  
9 covered individuals and the entity had at least  
10 two thousand (2,000) covered individuals in the  
11 previous calendar year,  
12 (6) a health benefit plan subject to the Employee  
13 Retirement Income Security Act of 1974, Pub. L.  
14 No. 93-406, and that is fully insured,  
15 (7) a risk-based provider organization licensed by  
16 the Insurance Department, and  
17 (8) any entity that contracts with the Department of  
18 Corrections to provide medical, dental, or  
19 pharmaceutical care to inmates.

20 b. A submitting entity shall not include:

- 21 (1) an entity that provides health insurance or a  
22 health benefit plan that is accident-only,  
23 specified disease, hospital indemnity, long-term  
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1 care, disability income, or other supplemental  
2 benefit coverage,

3 (2) an employee of a welfare benefit plan as defined  
4 by federal law that is also a trust established  
5 pursuant to collective bargaining subject to the  
6 Labor Management Relations Act of 1947, Pub. L.  
7 No. 80-101,

8 (3) a health benefit plan subject to the Employee  
9 Retirement Income Security Act of 1974, Pub. L.  
10 No. 93-406, that is self-funded,

11 (4) a Medicare supplemental policy as defined by 42  
12 C.F.R., Section 403.205, or

13 (5) a pharmacy benefits manager; and

14 12. "Unique identifier" means any identifier that is guaranteed  
15 to be unique among all identifiers for covered individuals but does  
16 not include direct personal identifiers.

17 SECTION 5. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 1-134.3 of Title 63, unless  
19 there is created a duplication in numbering, reads as follows:

20 A. Beginning July 1, 2027, there is hereby created the Oklahoma  
21 Health Care Transparency Initiative. The initiative shall be  
22 governed by the state-designated entity for health information  
23 exchange and overseen by the Office of the State Coordinator for  
24 Health Information Exchange.

1 B. Beginning on a date determined by the Oklahoma Health Care  
2 Authority Board, and thereafter in a frequency specified in rules  
3 promulgated by the Board, a submitting entity shall submit claims  
4 data, unique identifiers, and geographic and demographic information  
5 for covered individuals as permitted in the Oklahoma Health Care  
6 Transparency Initiative Act of 2026, and provider files to the  
7 state-designated entity for health information exchange in  
8 accordance with standards and procedures promulgated by the Board.  
9 The Office shall begin implementation of the requirements of this  
10 subsection on or before July 1, 2026.

11 C. 1. A health benefit plan, person, or entity excluded from  
12 the definition of submitting entity as provided by Section 4 of this  
13 act shall not be subject to the requirements of subsection B of this  
14 section, but may voluntarily submit claims data, unique identifiers,  
15 and geographic and demographic information for covered individuals  
16 as permitted in the Oklahoma Health Care Transparency Initiative Act  
17 of 2026, and provider files to the state-designated entity in  
18 accordance with standards and procedures promulgated by the Board.

19 2. To the extent the excluded health benefit plan, person, or  
20 entity voluntarily submits data described in this subsection to the  
21 state-designated entity, the health benefit plan, person, or entity  
22 shall comply with all requirements of the Oklahoma Health Care  
23 Transparency Initiative Act of 2026, other than subsection B of this  
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1 section, including, but not limited to, compliance with applicable  
2 state and federal data privacy and security laws.

3 D. 1. The State Department of Health shall submit all public  
4 health data and vital statistics data collected by the Department  
5 under Title 63 of the Oklahoma Statutes to the state-designated  
6 entity for integration into the Oklahoma Health Care Transparency  
7 Initiative database created under this section including, but not  
8 limited to, data collected regarding hospital discharge and  
9 emergency department records for the uninsured, birth and death  
10 records, and disease registry data.

11 2. The data submitted under paragraph 1 of this subsection  
12 shall be assigned a unique identifier and may be used in accordance  
13 with the Oklahoma Health Care Transparency Initiative Act of 2026  
14 and the rules promulgated under the Oklahoma Health Care  
15 Transparency Initiative Act of 2026.

16 SECTION 6. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 1-134.4 of Title 63, unless  
18 there is created a duplication in numbering, reads as follows:

19 A. Data and other information submitted under Section 5 of this  
20 act shall be treated as confidential and shall be exempt from  
21 disclosure as a record under the Oklahoma Open Records Act as  
22 defined in Section 24A.3 of Title 51 of the Oklahoma Statutes and  
23 are not subject to subpoena except to the extent provided in the  
24 Oklahoma Insurance Code.

1 B. Data and other information submitted under Section 5 of this  
2 act may only be collected, stored, used, disclosed, or released in  
3 compliance with applicable state and federal data privacy and  
4 security law, rules promulgated by the Oklahoma Health Care  
5 Authority Board, and data governance policies established by the  
6 state-designated entity for health information exchange.

7 C. Data and other information in the Oklahoma Health Care  
8 Transparency Initiative shall, to the extent authorized by rules  
9 promulgated by the Board, be available:

10 1. When disclosed in a form and manner that ensures the privacy  
11 and security of protected health information as required by state  
12 and federal laws, as a resource to insurers, employers, purchasers  
13 of health care, researchers, state agencies, and health care  
14 providers to allow for assessment of health care utilization,  
15 expenditures, and performance in this state, including, but not  
16 limited to, as a resource for hospital community health needs  
17 assessments; and

18 2. To state programs regarding health care quality and costs  
19 for use in improving health care in the state, subject to rules  
20 prescribed by the Board conforming to state and federal privacy laws  
21 or limiting access to limited-use data sets.

22 D. Data and other information in the Oklahoma Health Care  
23 Transparency Initiative shall not be used to disclose trade secrets  
24 of submitting entities.

1 E. Notwithstanding any other section of law, the Oklahoma  
2 Health Care Transparency Initiative shall not publicly disclose any  
3 data or other information that contains direct personal identifiers.

4 F. The Oklahoma Health Care Transparency Initiative Act of 2026  
5 shall not be construed to supersede, limit, amend, or abrogate any  
6 data privacy or security law, rule, or policy.

7 SECTION 7. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 1-134.5 of Title 63, unless  
9 there is created a duplication in numbering, reads as follows:

10 A. Except for state or federal agencies that are submitting  
11 entities, a submitting entity that fails to submit data as required  
12 by the Oklahoma Health Care Transparency Initiative Act of 2026 or  
13 the rules promulgated by the Oklahoma Health Care Authority Board  
14 may be subject to a fine assessed by the Insurance Department.

15 B. The Insurance Commissioner shall adopt a schedule of fines  
16 not to exceed One Thousand Dollars (\$1,000.00) per day for each day  
17 the violation occurs, to be determined by the severity of the  
18 violation.

19 C. A fine assessed under this section may be remitted or  
20 mitigated upon such terms and conditions as the Insurance  
21 Commissioner considers proper and consistent with public health and  
22 safety.

23 D. Of the proceeds from fines remitted under this section, the  
24 Insurance Department shall retain a portion of such proceeds

1 necessary to cover the cost to the Department of administering the  
2 assessment and collection of such fines, and the Department shall  
3 remit the remainder of the proceeds to the Oklahoma Health Care  
4 Authority. The Authority may only use proceeds from fines assessed  
5 under this section to fund operations of the Oklahoma Health Care  
6 Transparency Initiative.

7 SECTION 8. AMENDATORY 51 O.S. 2021, Section 24A.3, as  
8 last amended by Section 1, Chapter 404, O.S.L. 2025 (51 O.S. Supp.  
9 2025, Section 24A.3), is amended to read as follows:

10 Section 24A.3. As used in the Oklahoma Open Records Act:

11 1. "Record" means all documents including, but not limited to,  
12 any book, paper, photograph, microfilm, data files created by or  
13 used with computer software, computer tape, disk, record, sound  
14 recording, film recording, video record or other material regardless  
15 of physical form or characteristic, created by, received by, under  
16 the authority of, or coming into the custody, control or possession  
17 of public officials, public bodies or their representatives in  
18 connection with the transaction of public business, the expenditure  
19 of public funds or the administering of public property. Record  
20 shall also mean applications and other documents related to  
21 licensure matters that are filed of record in a district court,  
22 including, but not limited to, marriage licenses, process server  
23 licenses, closing out sale licenses, transient merchant licenses,

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1 pool hall licenses, and bail bondsmen registration. Record does not  
2 mean:

- 3 a. computer software, ~~or~~
- 4 b. nongovernment personal effects, or
- 5 c. data or other information submitted to the state-  
6 designated entity for information exchange under  
7 Section 1-133 of Title 63 of the Oklahoma Statutes or  
8 under the Oklahoma Health Care Transparency Initiative  
9 Act of 2026;

10 2. "Public body" shall include, but not be limited to, any  
11 office, department, board, bureau, commission, agency, trusteeship,  
12 authority, council, committee, trust or any entity created by a  
13 trust, county, city, village, town, township, district, school  
14 district, fair board, court, executive office, advisory group, task  
15 force, study group or any subdivision thereof, supported in whole or  
16 in part by public funds or entrusted with the expenditure of public  
17 funds or administering or operating public property, and all  
18 committees, or subcommittees thereof. Except for the records  
19 required by Section 24A.4 of this title, public body does not mean  
20 judges, justices, the Council on Judicial Complaints, the  
21 Legislature or legislators. Public body shall not include an  
22 organization that is exempt from federal income tax under Section  
23 501(c)(3) of the Internal Revenue Code of 1986, as amended, and  
24 whose sole beneficiary is a college or university, or an affiliated

1 entity of the college or university, that is a member of The  
2 Oklahoma State System of Higher Education. Such organization shall  
3 not receive direct appropriations from the Legislature. The  
4 following persons shall not be eligible to serve as a voting member  
5 of the governing board of the organization:

6 a. a member, officer, or employee of the Oklahoma State  
7 Regents for Higher Education,

8 b. a member of the board of regents or other governing  
9 board of the college or university that is the sole  
10 beneficiary of the organization, or

11 c. an officer or employee of the college or university  
12 that is the sole beneficiary of the organization;

13 3. "Public office" means the physical location where public  
14 bodies conduct business or keep records;

15 4. "Public official" means any official or employee of any  
16 public body as defined herein; and

17 5. "Law enforcement agency" means any public body charged with  
18 enforcing state or local criminal laws and initiating criminal  
19 prosecutions including, but not limited to: police departments;  
20 state and local fire marshals when investigating potential  
21 violations of federal, state, or local criminal laws or when acting  
22 on behalf of a law enforcement agency; county sheriffs; the  
23 Department of Public Safety; the Oklahoma State Bureau of Narcotics  
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1 and Dangerous Drugs Control; the Alcoholic Beverage Laws Enforcement  
2 Commission; and the Oklahoma State Bureau of Investigation.

3 SECTION 9. It being immediately necessary for the preservation  
4 of the public peace, health or safety, an emergency is hereby  
5 declared to exist, by reason whereof this act shall take effect and  
6 be in full force from and after its passage and approval.

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8 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
9 OVERSIGHT, dated 02/25/2026 - DO PASS, As Coauthored.

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