STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3675   By: Provenzano

AS INTRODUCED

An Act relating to health insurance; providing
definitions; prohibiting utilization review agents
from using an automated system to make adverse
determinations; permitting Insurance Commissioner
auditing authority; clarifying act does not prohibit
use of automated decision systems for administrative
support or fraud detection; directing notice of
adverse determinations to include certain
information; providing for codification; and
providing an effective date.

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

SECTION 1.   NEW LAW   A new section of law to be codified

in the Oklahoma Statutes as Section 6550 of Title 36, unless there

is created a duplication in numbering, reads as follows:

As used in this act:

1. "Adverse determination" means a determination by a

utilization review agent that health care services provided or

proposed to be provided to a patient are not medically necessary or

appropriate, or are experimental or investigational;

1   2. "Algorithm" means a computerized procedure consisting of a

2   set of steps used to accomplish a determined task;

3   3. "Artificial intelligence system" means any machine learning-

4   based system that, for any explicit or implicit objective, infers

5   from the inputs the system receives how to generate outputs,

6   including content, decisions, predictions, and recommendations, that

7   can influence physical or virtual environments;

8   4. "Automated decision system" means an algorithm, including an

9   algorithm incorporating an artificial intelligence system, that uses

10   data-based analytics to make, suggest, or recommend certain

11   determinations, decisions, judgments, or conclusions; and

12   5. "Qualified human professional" means an individual with the

13   training, education and certification required to legally make

14   medical decisions.

15   SECTION 2.   NEW LAW   A new section of law to be codified

16   in the Oklahoma Statutes as Section 6550.1 of Title 36, unless there

17   is created a duplication in numbering, reads as follows:

18   A. Any adverse determination made by an algorithm, artificial

19   intelligence system, or automated decision system shall be reviewed

20   by a qualified human professional before being finalized.

21   B. The Insurance Commissioner may audit and inspect at any time

22   a utilization review agent's use of an automated decision system for

23   utilization review.

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1   C. This section does not prohibit the use of an algorithm,

2   artificial intelligence system, or automated decision system for

3   administrative support or fraud-detection functions.

4   SECTION 3.   NEW LAW   A new section of law to be codified

5   in the Oklahoma Statutes as Section 6550.2 of Title 36, unless there

6   is created a duplication in numbering, reads as follows:

7   Notice of an adverse determination must include:

8   1. The principal reasons for the adverse determination;

9   2. The clinical basis for the adverse determination;

10   3. A description of and the source of the screening criteria

11 and review procedures used as guidelines in making the adverse

12 determination; and

13   4. A description of the procedure for the complaint and appeal

14 process, including notice to the enrollee of the enrollee's right to

15 appeal an adverse determination to an independent review

16 organization and of the procedures to obtain that review.

17   SECTION 4. This act shall become effective November 1, 2026.

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19   60-2-15132   MJ   01/13/26

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