

An Act

ENROLLED SENATE
BILL NO. 109

By: Stanley, Hicks, and Nice of
the Senate

and

Miller, Roe, Townley, West
(Tammy), Hefner, Ranson,
Provenzano, Munson,
Schreiber, Pittman, and
Fugate of the House

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.

SUBJECT: Cancer testing

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 6060.5b of Title 36, unless
there is created a duplication in numbering, reads as follows:

A. For the purposes of this section:

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

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

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

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

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

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

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

- a. the most recent version of the National Comprehensive Cancer Network (NCCN) clinical practice recommendations that are Category 2A or higher,
- b. Centers for Medicare and Medicaid Services national coverage determinations or Medicare administrative contractor local coverage determinations, or
- c. nationally recognized clinical practice guidelines; and

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

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

D. If application of this section would result in health savings account ineligibility under Section 223 of the Internal

Revenue Code of 1986, as amended, the provisions of this section shall only apply to health savings accounts with qualified high deductible health plans with respect to the deductible of such a plan after the enrollee has satisfied the minimum deductible. Provided, however, the provisions of this section shall apply to items or services that are preventive care pursuant to Section 223(c)(2)(C) of the Internal Revenue Code of 1986, as amended, regardless of whether the minimum deductible has been satisfied.

SECTION 2. This act shall become effective November 1, 2025.

Passed the Senate the 21st day of May, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of May, 2025.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____