

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3910

By: Dollens

6 AS INTRODUCED

7 An Act relating to false advertising in health care;
8 defining term; describing the deceptive act;
9 providing for enforcement; providing penalties;
providing for codification; and providing an
effective date.

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 7350 of Title 63, unless there
15 is created a duplication in numbering, reads as follows:

16 As used in this act:

17 "Health care services" means all supplies, care, and services of
18 a medical, dental, behavioral health, mental health, substance use
19 disorder treatment, surgical, psychiatric, therapeutic, diagnostic,
20 preventative, rehabilitative, or supportive nature, including
medication.

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 7351 of Title 63, unless there
24 is created a duplication in numbering, reads as follows:

1 A. It is an unfair and deceptive act and practice in commerce,
2 and a violation of the Consumer Protection Act as described in Title
3 15 of the Oklahoma Statutes, for any person to disseminate or cause
4 to be disseminated to the public any advertising about health care
5 services or proposed services performed in this state that is untrue
6 or clearly designed to mislead the public about the nature of the
7 services provided.

8 B. Such advertising includes representations made directly to
9 consumers, marketing practices, communication in any print medium,
10 such as newspapers, magazines, mailers, or handouts; and any
11 broadcast medium, such as television or radio, telephone marketing,
12 or advertising over the Internet, such as through social media,
13 websites, and web advertisements.

14 C. For purposes of this section, advertising about health care
15 services is an act in commerce.

16 SECTION 3. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 7352 of Title 63, unless there
18 is created a duplication in numbering, reads as follows:

19 A. Whenever the Attorney General or a district attorney has
20 reasonable cause to believe that a person has violated this section,
21 the Attorney General may issue a civil investigative demand.

22 B. The Attorney General or district attorney may commence an
23 action in any court of competent jurisdiction for injunctive relief
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1 to compel compliance with the provisions of this section, and seek
2 civil penalties for violations.

3 C. Prior to commencing an action in court, the Attorney General
4 or district attorney shall give written notice to the person to cure
5 such violations not later than ten (10) business days after receipt
6 of the written notice.

7 D. Upon a finding by the court that a person has violated this
8 section, the state shall be entitled to recover:

9 1. Civil penalties of up to Three Thousand Dollars (\$3,000.00)
10 for a first violation;

11 2. Civil penalties of up to Ten Thousand Dollars (\$10,000.00)
12 for a second or subsequent violation; and

13 3. Reasonable attorney fees and costs.

14 E. In determining the overall amount of civil penalties to
15 assess against a person, the court shall include, but not be limited
16 to, the following in its consideration:

17 1. The nature and severity of the violation;

18 2. The size, scope, and type of the offending organization; and

19 3. The good-faith cooperation of the offending organization

20 with any investigations conducted by the Attorney General or

21 district attorney pursuant to this section.

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

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