

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 1617

By: Derby

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8 COMMITTEE SUBSTITUTE

9 An Act relating to insurance; defining certain terms;
10 prohibiting health benefit plan from denying coverage
for treatment based solely on insured's life
11 expectancy or diagnosis of terminal condition;
prohibiting health benefit plan paid with state funds
12 from denying coverage for treatment based solely on
insured's life expectancy or diagnosis of terminal
13 condition; providing for codification; and providing
an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 6060.13A of Title 36, unless
19 there is created a duplication in numbering, reads as follows:

20 A. As used in this section:

21 1. "Health benefit plan" means a plan as defined in subsection
22 C of Section 6060.4 of Title 36 of the Oklahoma Statutes; and
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1 2. "Terminal condition" means any malignancy or chronic end-
2 stage cardiovascular or cerebral vascular disease that is likely to
3 result in the insured's death.

4 B. Notwithstanding any other provisions of law to the contrary,
5 no health benefit plan shall deny coverage for medically necessary
6 treatment prescribed by a physician and agreed to by a fully
7 informed insured or, if the insured lacks legal capacity to consent,
8 by a person who has legal authority to consent on the insured's
9 behalf, based solely on an insured's life expectancy or the fact
10 that the insured is diagnosed with a terminal condition.

11 C. Refusing coverage for medically necessary treatment to be
12 rendered to an insured based solely on the insured's life expectancy
13 or the fact that the insured is diagnosed with a terminal condition
14 shall be a violation of this section.

15 SECTION 2. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 1010.14 of Title 56, unless
17 there is created a duplication in numbering, reads as follows:

18 A. As used in this section, "terminal condition" means any
19 malignancy or chronic end-stage cardiovascular or cerebral vascular
20 disease that is likely to result in the individual's death.

21 B. Notwithstanding any other provision of law to the contrary,
22 no health benefit plan paid directly or indirectly with state funds
23 including but not limited to Medicaid shall deny coverage for
24 medically necessary treatment prescribed by a physician and agreed

1 to by a fully informed individual or, if the individual lacks legal
2 capacity to consent, by a person who has legal authority to consent
3 on the individual's behalf, based solely on an individual's life
4 expectancy or the fact that the individual has been diagnosed with a
5 terminal condition.

6 C. Refusing coverage for medically necessary treatment to be
7 rendered to an individual based solely on the individual's life
8 expectancy or the fact that the individual has been diagnosed with a
9 terminal condition shall be a violation of this section.

10 SECTION 3. This act shall become effective November 1, 2015.

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12 55-1-7000 GRS 02/24/15

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