1 HOUSE OF REPRESENTATIVES - FLOOR VERSION STATE OF OKLAHOMA 2 3 1st Session of the 57th Legislature (2019) 4 ENGROSSED SENATE BILL NO. 508 By: Newhouse of the Senate 5 and 6 McEntire of the House 7 8 9 [health insurance - appeals - response codification - effective date | 10 11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: 12 13 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6060.30 of Title 36, unless 14 15 there is created a duplication in numbering, reads as follows: A. Any health benefit plan that receives, from a physician or 16 hospital, an appeal of the denial of a claim or a dispute regarding 17 payment of a claim by the insurer shall specifically address the 18 details of the appeal or payment dispute and provide, in writing, 19 20 the reason or reasons for the denial of coverage or additional 21 payment. 1. The written denial of coverage from the health benefit plan 22 shall include information regarding the appropriate contact for a 23

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peer-to-peer discussion of the denial of a service.

- 2. The written response to a payment dispute shall include information regarding the appropriate contact for a technical or coding expert.
 - B. As used in this section:

- 1. "Health benefit plan" means a plan, subject to the limitations of paragraph 2 of subsection C of Section 6060.4 of Title 36 of the Oklahoma Statutes, that:
 - a. provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness, and
 - b. is offered by any insurance company, group hospital service corporation, the State and Education Employees Group Insurance Board, or health maintenance organization that delivers or issues for delivery an individual, group, blanket, or franchise insurance policy or insurance agreement, a group hospital service contract, or an evidence of coverage, or, to the extent permitted by the Employee Retirement Income Security Act of 1974, 29 U.S.C., Section 1001 et seq., by a multiple employer welfare arrangement as defined in Section 3 of the Employee Retirement Income Security Act of 1974, or any other analogous benefit arrangement, whether the payment is fixed or by indemnity;

1	2. "Hospital" means any institution, place, building or agency,
2	public or private, whether organized for profit or not, devoted
3	primarily to the maintenance and operation of facilities for the
4	diagnosis, treatment or care of patients admitted for overnight stay
5	or longer in order to obtain medical care, surgical care,
6	obstetrical care, or nursing care for illness, disease, injury,
7	infirmity, or deformity. The term "hospital" includes general
8	medical surgical hospitals, specialized hospitals, critical access
9	and emergency hospitals, and birthing centers, as defined in
10	paragraphs 2 through 7 of Section 1-701 of Title 63 of the Oklahoma
11	Statutes; and
12	3. "Physician" means a person holding a valid license to

3. "Physician" means a person holding a valid license to practice medicine and surgery, osteopathic medicine, podiatric medicine, dentistry, chiropractic or optometry, pursuant to the state licensing provisions of Title 59 of the Oklahoma Statutes.

SECTION 2. This act shall become effective November 1, 2019.

COMMITTEE REPORT BY: COMMITTEE ON INSURANCE, dated 04/10/2019 - DO PASS, As Amended.