## 1 HOUSE OF REPRESENTATIVES - FLOOR VERSION 2 STATE OF OKLAHOMA 3 1st Session of the 58th Legislature (2021) 4 ENGROSSED SENATE BILL NO. 548 By: Daniels, Newhouse, David, 5 Bergstrom, Bullard, Jett and Hamilton of the Senate 6 and 7 Townley of the House 8 9 [ healthcare expenses - debt to credit bureaus -10 codification - effective date ] 11 12 13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: A new section of law to be codified SECTION 1. NEW LAW 14 15 in the Oklahoma Statutes as Section 6980 of Title 36, unless there 16 is created a duplication in numbering, reads as follows: A. No medical service or care entity, nor their agent, shall 17 report a healthcare expense debt to a credit bureau or pursue 18 involuntary collection activities or any other adverse financial 19 action, except if the entity or agent can demonstrate that the 20 individual liable for the medical debt was presented with and agreed 21 to a good faith estimate of the total cost of all healthcare 22 services to be provided prior to agreeing to receive the services. 23

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- 1. The total cost shall include all services performed by the medical service or care entity and its staff, as well as any authorized services provided by a contractor, affiliate or any other third party who provided services in the facility, and the total cost to be billed shall include out-of-network providers.
- 2. The total cost of service shall be presented to the individual liable for the medical debt separately from all other forms, information and paperwork. It shall be written in a readable font, plain language and shall be prominently and conspicuously displayed on the first page of the document in which it is contained.
- B. 1. In cases in which the patient must receive emergency care deemed necessary by the health care provider and the individual liable for the medical debt is not able to receive a good faith estimate of healthcare services before vital emergency medical services are rendered, no medical service or health care entity shall charge the individual liable for the medical debt who is not a member of a health benefit plan offered by a health carrier, more than one hundred sixty-five percent (165%) of the Medicare rate.
- 2. In cases in which the patient must receive emergency care as deemed necessary by the health care provider and the individual who is liable for the medical debt is an enrollee of a health benefit plan offered by a health carrier, the medical service provider or health care entity providers shall not charge more than the

1 enrollee's health benefit plan's in-network rate for the emergency services rendered. 3 C. Failure to comply with the provisions of this act shall be grounds for dismissal of any collection suit or garnishment 4 5 proceeding and may be asserted as an affirmative defense to any such action. 7 For purposes of this section, "medical service or care D. entity" shall include, but not be limited to, a medical care 9 corporation, health care corporation, hospital service association, 10 medical service corporation, health care maintenance organization, 11 not-for-profit hospital, insurer, insurance company or any other 12 third-party payer of medical expenses. 13 SECTION 2. This act shall become effective November 1, 2021. 14 COMMITTEE REPORT BY: COMMITTEE ON STATES RIGHTS, dated 04/07/2021 -15 DO PASS. 16 17 18 19 20 21 22 23

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