

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 993 By: Dahm of the Senate
3 and
4 Moore of the House
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7 An Act relating to health insurance; defining short-
8 term, limited-duration insurance; exempting certain
9 policies from certain law; precluding certain
10 policies from definition; providing benefit
11 limitations for certain policies; requiring certain
12 notice; authorizing offer of additional benefit
13 plans; applying certain act to certain policies;
14 providing for codification; and providing an
15 effective date.

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17 AMENDMENT NO. 1. Delete the title, enacting clause and entire bill
18 and replace with

19 "An Act relating to health insurance; defining short-
20 term, limited-duration insurance; exempting certain
21 policies from certain law; precluding certain
22 policies from definition; providing benefit
23 limitations for certain policies; requiring certain
24 notice; authorizing offer of additional benefit
plans; applying certain act to certain policies;
providing for codification; and providing an
effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 4419 of Title 36, unless there
3 is created a duplication in numbering, reads as follows:

4 A. For the purposes of this section "short-term, limited-
5 duration insurance" or "STLDI" means individual health insurance
6 coverage provided pursuant to a contract with an insurer that has an
7 expiration date specified in the contract that is less than twelve
8 (12) months after the original effective date of the contract and,
9 taking into account renewals or extensions, has a duration of no
10 longer than thirty-six (36) months in total.

11 B. An STLDI policy shall not be subject to the continuation
12 provisions of the Health Insurance Portability and Accountability
13 Act of 1996, and shall be exempt from medical loss ratio
14 calculations associated with individual accident and health
15 insurance issued within this state.

16 C. No STLDI policy shall be deemed to be included under the
17 definition of group accident and health insurance issued or renewed
18 inside or outside of this state and covering persons residing in
19 this state.

20 D. The benefits provided by an STLDI policy may be limited as
21 follows:

22 1. An STLDI policy shall not be required to contain one or more
23 of the mandated accident and health insurance benefits otherwise
24 required by Title 36 of the Oklahoma Statutes; and

1 2. An STLDI policy shall include the definitions of individual
2 accident and health insurance with respect to major medical benefits
3 and standard provisions or rights of coverage.

4 E. An applicant for an STLDI policy shall be provided, at the
5 time of application and in addition to any notice required by
6 applicable federal law or regulation, a written notice that one or
7 more of the benefits mandated by Oklahoma law is not included in the
8 STLDI policy.

9 1. The notice shall specify the essential health benefits that
10 are included in the STLDI policy. For purposes of this subsection,
11 "essential health benefits" means those benefits set forth in 42
12 U.S.C., Section 18022(b).

13 2. The notice shall specifically list the accident and health
14 insurance benefits otherwise required to be covered by Title 36 of
15 the Oklahoma Statutes that will not be covered.

16 3. The insurer shall retain a signed copy of this notice on
17 file as a part of the original application as evidence that the
18 insured has acknowledged such notice.

19 4. Such signed copy may be in original form, electronic file
20 form or in any other reproducible file form as may be consistent
21 with the insurer's method of retaining application copies.

22 F. An STLDI policy may offer various optional combinations of
23 coverage at additional premiums for each optional benefit offered.

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1 G. STLDI policies issued in Oklahoma shall be subject to the
2 filing requirements of Section 4402 of Title 36 of the Oklahoma
3 Statutes.

4 H. Any individual insured under an STLDI policy shall be issued
5 an identification card which clearly indicates that the STLDI policy
6 is a limited duration policy not subject to Affordable Care Act
7 requirements.

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

9 Passed the House of Representatives the 17th day of April, 2019.

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Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2019.

Presiding Officer of the Senate

1 ENGROSSED SENATE
2 BILL NO. 993

By: Dahm of the Senate

3 and

4 Moore of the House

5
6 An Act relating to health insurance; defining short-
7 term, limited-duration insurance; exempting certain
8 policies from certain law; precluding certain
9 policies from definition; providing benefit
10 limitations for certain policies; requiring certain
11 notice; authorizing offer of additional benefit
12 plans; applying certain act to certain policies;
13 providing for codification; and providing an
14 effective date.

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

16 SECTION 3. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 4419 of Title 36, unless there
18 is created a duplication in numbering, reads as follows:

19 A. For the purposes of this section "short-term, limited-
20 duration insurance" or "STLDI" means individual health insurance
21 coverage provided pursuant to a contract with an insurer that has an
22 expiration date specified in the contract that is less than twelve
23 (12) months after the original effective date of the contract and,
24 taking into account renewals or extensions, has a duration of no
longer than thirty-six (36) months in total.

1 B. An STLDI policy shall not be subject to the continuation
2 provisions of the Health Insurance Portability and Accountability
3 Act of 1996, and shall be exempt from medical loss ratio
4 calculations associated with individual accident and health
5 insurance issued within this state.

6 C. No STLDI policy shall be deemed to be included under the
7 definition of group accident and health insurance issued or renewed
8 inside or outside of this state and covering persons residing in
9 this state.

10 D. The benefits provided by an STLDI policy may be limited as
11 follows:

12 1. An STLDI policy shall not be required to contain one or more
13 of the mandated accident and health insurance benefits otherwise
14 required by Title 36 of the Oklahoma Statutes; and

15 2. An STLDI policy shall include the definitions of individual
16 accident and health insurance with respect to major medical benefits
17 and standard provisions or rights of coverage.

18 E. An applicant for an STLDI policy shall be provided, at the
19 time of application and in addition to any notice required by
20 applicable federal law or regulation, a written notice that one or
21 more of the benefits mandated by Oklahoma law is not included in the
22 STLDI policy.

23 1. The notice shall specify the essential health benefits that
24 are included in the STLDI policy. For purposes of this subsection,

1 "essential health benefits" means those benefits set forth in 42 USC
2 18022(b).

3 2. The notice shall specifically list the accident and health
4 insurance benefits otherwise required to be covered by Title 36 of
5 the Oklahoma Statutes that will not be covered.

6 3. The insurer shall retain a signed copy of this notice on
7 file as a part of the original application as evidence that the
8 insured has acknowledged such notice.

9 4. Such signed copy may be in original form, electronic file
10 form or in any other reproducible file form as may be consistent
11 with the insurer's method of retaining application copies.

12 F. An STLDI policy may offer various optional combinations of
13 coverage at additional premiums for each optional benefit offered.

14 G. STLDI policies issued in Oklahoma shall be subject to the
15 filing requirements of Section 4402 of Title 36 of the Oklahoma
16 Statutes.

17 SECTION 4. This act shall become effective November 1, 2019.
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1 Passed the Senate the 11th day of March, 2019.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2019.

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9 Presiding Officer of the House
10 of Representatives