1 HOUSE OF REPRESENTATIVES - FLOOR VERSION 2 STATE OF OKLAHOMA 3 1st Session of the 55th Legislature (2015) COMMITTEE SUBSTITUTE 4 FOR 5 HOUSE BILL NO. 1617 By: Derby 6 7 8 9 COMMITTEE SUBSTITUTE 10 An Act relating to insurance; defining certain terms; prohibiting health benefit plan from denying coverage 11 for treatment based solely on insured's life expectancy or diagnosis of terminal condition; 12 prohibiting health benefit plan paid with state funds from denying coverage for treatment based solely on 1.3 insured's life expectancy or diagnosis of terminal condition; providing for codification; and providing 14 an effective date. 15 16 17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: 18 SECTION 1. A new section of law to be codified NEW LAW 19 in the Oklahoma Statutes as Section 6060.13A of Title 36, unless 20 there is created a duplication in numbering, reads as follows: 2.1 As used in this section: Α. 22 "Health benefit plan" means a plan as defined in subsection C of Section 6060.4 of Title 36 of the Oklahoma Statutes; and 23 24

- 2. "Terminal condition" means any malignancy or chronic endstage cardiovascular or cerebral vascular disease that is likely to result in the insured's death.
- B. Notwithstanding any other provisions of law to the contrary, no health benefit plan shall deny coverage for medically necessary treatment prescribed by a physician and agreed to by a fully informed insured or, if the insured lacks legal capacity to consent, by a person who has legal authority to consent on the insured's behalf, based solely on an insured's life expectancy or the fact that the insured is diagnosed with a terminal condition.
- C. Refusing coverage for medically necessary treatment to be rendered to an insured based solely on the insured's life expectancy or the fact that the insured is diagnosed with a terminal condition shall be a violation of this section.
- SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1010.14 of Title 56, unless there is created a duplication in numbering, reads as follows:
- A. As used in this section, "terminal condition" means any malignancy or chronic end-stage cardiovascular or cerebral vascular disease that is likely to result in the individual's death.
- B. Notwithstanding any other provision of law to the contrary, no health benefit plan paid directly or indirectly with state funds including but not limited to Medicaid shall deny coverage for 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	COMMITTEE REPORT BY: COMMITTEE ON ALCOHOL, TOBACCO, AND CONTROLLED SUBSTANCES, dated 02/25/2015 - DO PASS, As Amended.
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