

1 ENGROSSED HOUSE  
2 BILL NO. 1617

By: Derby, Sherrer and Hoskin  
of the House

3 and

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

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

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

21 A. As used in this section:

22 1. "Health benefit plan" means a plan as defined in subsection  
23 C of Section 6060.4 of Title 36 of the Oklahoma Statutes; and

24 2. "Terminal condition" means any malignancy or chronic end-  
stage cardiovascular or cerebral vascular disease that is likely to  
result in the insured's death.

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

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

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

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

18 B. Notwithstanding any other provision of law to the contrary,  
19 no health benefit plan paid directly or indirectly with state funds  
20 including but not limited to Medicaid shall deny coverage for  
21 medically necessary treatment prescribed by a physician and agreed  
22 to by a fully informed individual or, if the individual lacks legal  
23 capacity to consent, by a person who has legal authority to consent  
24 on the individual's behalf, based solely on an individual's life

1 expectancy or the fact that the individual has been diagnosed with a  
2 terminal condition.

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

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

8 Passed the House of Representatives the 9th day of March, 2015.

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Presiding Officer of the House  
of Representatives

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Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2015.

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Presiding Officer of the Senate

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