

1 **SENATE FLOOR VERSION**

2 February 20, 2024

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1264

By: Stanley of the Senate

and

Miller of the House

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9 [health insurance - coverage - exclusions -
10 codification - effective date]

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 6060.5b of Title 36, unless
15 there is created a duplication in numbering, reads as follows:

16 A. For the purposes of this section:

17 1. "Clinical utility" means the test result provides
18 information that is used in the formulation of a treatment or
19 monitoring strategy that informs a patient's outcome and impacts the
20 clinical decision. The most appropriate test may include both
21 information that is actionable and some information that cannot be
22 immediately used in the formulation of a clinical decision;

23 2. "Evidence-based cancer imaging" means evidence-based cancer
24 imaging modalities in accordance with the most recent version of the

1 National Comprehensive Cancer Network (NCCN) clinical practice
2 guidelines;

3 3. "Genetic testing for an inherited mutation" means germline
4 multi-gene testing for an inherited mutation associated with an
5 increased risk of cancer in accordance with NCCN clinical practice
6 guidelines;

7 4. "Health benefit plan" means a health benefit plan as defined
8 pursuant to Section 6060.4 of Title 36 of the Oklahoma Statutes; and

9 5. "Health care provider" means any physician, hospital, or
10 other entity or person that is licensed or otherwise authorized in
11 this state to furnish health care services.

12 B. Any health benefit plan including the Oklahoma Employees
13 Insurance Plan that is offered, issued, or renewed in this state on
14 or after the effective date of this act shall provide coverage for:

15 1. Clinical genetic testing for an inherited gene mutation for
16 individuals with a personal or family history of cancer that is
17 recommended by a health care provider in accordance with NCCN
18 clinical practice guideline, when such test provides clinical
19 utility as demonstrated by medical and scientific evidence
20 including, but not limited to:

21 a. labeled indications for tests that are approved or
22 cleared by the United States Food and Drug
23 Administration,

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- 1 b. Centers for Medicare and Medicaid Services national
2 coverage determinations or Medicare administrative
3 contractor local coverage determinations, or
4 c. nationally recognized clinical practice guidelines;
5 and

6 2. Evidence-based cancer imaging for individuals with an
7 increased risk of cancer as recommended by the NCCN clinical
8 practice guidelines.

9 C. Coverage under this section shall not be subject to any
10 annual deductibles, copayments, or coinsurance limits as established
11 for all covered benefits under the health benefit plan.

12 D. If application of this section would result in health
13 savings account ineligibility under Section 223 of the federal
14 Internal Revenue Code, as amended, the provisions of this section
15 shall only apply to health savings accounts with qualified high
16 deductible health plans with respect to the deductible of such a
17 plan after the enrollee has satisfied the minimum deductible.
18 Provided, however, the provisions of this section shall apply to
19 items or services that are preventive care pursuant to Section
20 223(c)(2)(C) of the federal Internal Revenue Code, as amended,
21 regardless of whether the minimum deductible has been satisfied.

22 SECTION 2. This act shall become effective November 1, 2024.

23 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT AND INSURANCE
24 February 20, 2024 - DO PASS AS AMENDED BY CS