

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL 2217

By: Mulready of the House

and

6 Stanislowski of the Senate

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9 COMMITTEE SUBSTITUTE

10 An Act relating to insurance; providing
11 applicability; providing qualifications for in-
12 network payment during credentialing; requiring a
13 health benefit plan's issuer to treat an applicant
14 physician in a certain manner; authorizing the issuer
15 to exclude an applicant physician from certain
16 listings; authorizing recovery of certain payments;
17 exempting an enrollee from certain charges and fees;
18 eliminating liability; defining term; providing for
19 codification; and providing an effective date.

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

23 SECTION 1. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 4405.2 of Title 36, unless there
is created a duplication in numbering, reads as follows:

A. This section shall only apply to a physician who joins a
medical group that has a current contract in force with a health
benefit plan.

1 B. To qualify for in-network payment during credentialing, an
2 applicant physician must:

3 1. Be licensed in this state by, and be in good standing with,
4 the Oklahoma Board of Medical Licensure and Supervision or the
5 Oklahoma State Board of Osteopathic Examiners;

6 2. Submit the uniform credentialing application to a health
7 benefit plan insurer; and

8 3. Agree to comply with the terms of a health benefit plan's
9 provider contract currently in force with the applicant physician's
10 medical group.

11 C. Upon submission of the uniform credentialing application to
12 a health benefit plan's issuer, and for payment purposes only, the
13 issuer shall treat the applicant physician as if the physician were
14 a participating provider in a health benefit plan network when the
15 applicant physician provides services to a health benefit plan's
16 enrollees, including authorizing the applicant physician to collect
17 copayments from the enrollees and making payments to the applicant
18 physician.

19 D. Pending the approval of the applicant physician, the health
20 benefit plan issuer may exclude the applicant physician from the
21 issuer's directory of participating physicians, the issuer's
22 website, or any other listing of participating physicians.

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1 E. If, on completion of the credentialing process, a health
2 benefit plan issuer determines that the applicant physician does not
3 meet the issuer's credentialing requirements:

4 1. A health benefit plan issuer may recover, through
5 reprocessing the claim, from the applicant physician or the
6 physician's medical group an amount equal to the difference between
7 payments for in-network benefits and out-of-network benefits; and

8 2. The applicant physician or the physician's medical group may
9 retain any copayments collected or in the process of being collected
10 as of the date of the issuer's determination that the physician does
11 not meet the credentialing requirements.

12 F. An enrollee in a health benefit plan is not responsible and
13 shall be held harmless for the difference between in-network
14 copayments paid by an enrollee to a physician who is determined to
15 be ineligible under subsection E of this section and a health
16 benefit plan issuer's charges for out-of-network services. A
17 physician and a physician's medical group may not charge the
18 enrollee for any portion of the physician's fee that is not
19 reimbursed by the enrollee's health benefit plan.

20 G. A health benefit plan issuer that complies with this section
21 shall not be liable for damages arising out of or in connection
22 with, directly or indirectly, payment by the issuer of an applicant
23 physician as if the physician were a participating provider in the
24 health benefit plan network.

1 H. As used in this section, "health benefit plan" and
2 "credentialing" shall have the same meanings as provided in Section
3 4405.1 of Title 36 of the Oklahoma Statutes.

4 SECTION 2. This act shall become effective November 1, 2015.

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