

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 2612

By: Harris

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5
6 AS INTRODUCED

7 An Act relating to civil procedure; amending 12 O.S.
8 2021, Section 3009.1, which relates to medical bills;
9 limiting admissibility of certain evidence; providing
10 admissibility for certain evidence in civil actions
11 arising from personal injury; limiting admissible
12 evidence for certain future treatment of injured
13 party; providing reimbursement rate in certain
14 circumstances; setting date for application to
15 certain civil actions; providing for codification;
16 and providing an effective date.

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

18 SECTION 1. AMENDATORY 12 O.S. 2021, Section 3009.1, is
19 amended to read as follows:

20 Section 3009.1. A. Upon the trial of any civil action arising
21 from personal injury, the actual amounts paid for any services in
22 the treatment of the injured party, including doctor bills, hospital
23 bills, ambulance service bills, drug and other prescription bills,
24 and similar bills shall be the amounts admissible at trial, not the
amounts billed for such expenses incurred in the treatment of the
party. If, in addition to evidence of payment, a party submits a
signed statement acknowledged by the medical provider or an

1 authorized representative or sworn testimony that the provider will
2 accept the amount paid as full payment of the obligations, the
3 statement or testimony shall be admitted into evidence. The
4 statement or testimony shall be part of the record as an exhibit but
5 need not be shown to the jury. If a medical provider has filed a
6 lien in the case for an amount in excess of the amount paid, then
7 the bills in excess of the amount paid, but not more than the amount
8 of the lien, shall be admissible.

9 B. If no payment has been made, the Medicare reimbursement
10 rates in effect when the personal injury occurred, not the amounts
11 billed, shall be admissible if, in addition to evidence of
12 nonpayment, a party submits a signed statement acknowledged by the
13 medical provider or an authorized representative or sworn testimony
14 that the provider will accept payment at the Medicare reimbursement
15 rate less cost of recovery as provided in Medicare regulations as
16 full payment of the obligation. The statement or testimony shall be
17 admitted into evidence and shall be part of the record as an exhibit
18 but need not be shown to the jury. If a medical provider has filed
19 a lien in the case for an amount in excess of the Medicare rate,
20 then the bills in excess of the amount of the Medicare rate, but not
21 more than the amount of the lien, shall be admissible.

22 C. If no bills have been paid, or no statement acknowledged by
23 the medical provider or sworn testimony as provided in subsections A
24 and B of this section is provided to the opposing party and listed

1 as an exhibit by the final pretrial hearing, then the ~~amount billed~~
2 ~~shall~~ evidence to establish the reasonable value of the treatment
3 provided to the injured party that shall be admissible at trial
4 ~~subject to the limitations regarding any lien filed in the case is~~ is
5 limited to the amounts actually necessary to satisfy the financial
6 obligation for medical services or treatment rendered to the
7 plaintiff that have been incurred but not yet satisfied. This
8 evidence may not include any reference to sums that exceed the
9 amount of which the unpaid charges could be satisfied if submitted
10 to any health insurance covering the plaintiff or any public or
11 government-sponsored health care benefit program for which the
12 injured party is eligible, regardless of whether the incurred but
13 not yet satisfied charges have been or will be submitted to the
14 injured party's health insurance or public or government-sponsored
15 health care benefit program.

16 D. This section shall apply to civil actions arising from
17 personal injury filed on or after November 1, 2015.

18 SECTION 2. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 3009.2 of Title 12, unless there
20 is created a duplication in numbering, reads as follows:

21 A. Upon the trial of any civil action arising from personal
22 injury, evidence admissible to establish the reasonable value of any
23 necessary future treatment of the injured party not yet incurred,
24 including doctor or other health care provider bills, attendant care

1 bills, hospital bills, ambulance service bills, drug and other
2 prescription or medical equipment bills, bills for materials needed
3 in providing medical care and treatment for the party, and similar
4 bills shall be the amounts actually necessary to satisfy the
5 financial obligation for such treatment. This evidence may not
6 include any reference to sums that exceed the amount for which the
7 financial obligation for future treatment of the injured party not
8 yet incurred could be satisfied if submitted to any health insurance
9 covering the injured party or any public or government-sponsored
10 health care benefit program for which the injured party is eligible.

11 B. If, at the time of trial, the reimbursement rate allowed by
12 any health insurance covering the injured party or any public or
13 government-sponsored health care benefit program for which the
14 injured party is eligible cannot be determined for any aspect of
15 necessary future treatment of the injured party not yet incurred,
16 then the Medicare reimbursement rates in effect at the time of the
17 trial shall be the only amounts admissible at trial to establish the
18 reasonable value of any such necessary future treatment.

19 C. If, at the time of trial, the injured party is not covered
20 by any health insurance and is not eligible for coverage under any
21 private, public, or government-sponsored health care benefit
22 program, the Medicare reimbursement rates in effect at the time of
23 the trial shall be the only amounts admissible at trial to establish
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1 the reasonable value of any necessary future treatment of the
2 injured party not yet incurred.

3 D. This section shall apply to civil actions arising from
4 personal injury filed on or after November 1, 2025.

5 SECTION 3. This act shall become effective November 1, 2025.

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