

1 STATE OF OKLAHOMA

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

3 SENATE BILL 833 By: Daniels

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6 AS INTRODUCED

7 An Act relating to personal injury suits; amending 12  
8 O.S. 2021, Section 3009.1, which relates to medical  
9 bills; stating criteria to determine satisfaction of  
certain financial obligation; authorizing certain  
admissible amounts in certain circumstances;  
prohibiting certain retroactivity; providing for  
codification; and providing an effective date.

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

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

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

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

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

21       C. If no bills have been paid, or no statement acknowledged by  
22 the medical provider or sworn testimony as provided in subsections A  
23 and B of this section is provided to the opposing party and listed  
24 as an exhibit by the final pretrial hearing, then the ~~amount billed~~

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

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

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

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

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

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

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

1       D. The provisions of this section shall apply to civil actions  
2 arising from personal injury filed on or after the effective date of  
3 this act.

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

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