ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 370 By: Monson of the Senate

and

Seikel of the House

(poor persons - amending Section 7, Chapter 336, O.S.L. 1993 (56 O.S. Supp. 1994, Section 1010.7) - Oklahoma Medicaid Health Care Options Act - codification - effective date)

AUTHOR: Add the following House Coauthor: Boyd (Laura)

AMENDMENT NO. 1. Strike the stricken title, enacting clause and entire bill and insert

"(poor persons - amending 56 O.S., Section 1010.7 - Oklahoma Medicaid Health Care Options Act - codification - effective date)

SECTION 1. AMENDATORY Section 7, Chapter 336, O.S.L. 1993 (56 O.S. Supp. 1994, Section 1010.7), is amended to read as follows:

Section 1010.7 A. There is hereby established to continue until September 30, 1999, the Joint Legislative Oversight Committee for the Oklahoma Medicaid Healthcare Options System.

B. The Committee shall be composed of three members of the Oklahoma State Senate, to be appointed by the President Pro Tempore of the Senate, and three members of the Oklahoma House of Representatives, to be appointed by the Speaker of the House of Representatives. Members shall serve terms of two (2) years and shall be removable for cause by the appointing authority. Vacancies on the Committee shall be filled by the appointing authority.

C. The Committee may use the expertise and services of the staffs of the Senate and the House of Representatives and may, as necessary, employ and contract for the advice and services of experts in the fields as well as other necessary professional and clerical staff.

D. The Committee shall be convened no less than four times a year.

E. The Committee, in conjunction with the ~~state entity designated by law or the Department of Human Services, as specified in paragraph 1 of subsection A of Section 3 of this act~~ Oklahoma Health Care Authority, shall review negotiations with the federal government relating to any and all agreements between the federal government and the State of Oklahoma concerning Title XIX programs in this state under Title XIX of the Social Security Act, 42 U.S.C., Section 1396 et seq.

F. The Committee shall review and make recommendations concerning all proposals for additions or modifications to populations covered or services provided by the ~~state entity designated by law or the Department, as specified in paragraph 1 of subsection A of Section 3 of this act~~ Oklahoma Health Care Authority. The Committee shall also monitor the implementation of these additions or modifications, including review of the preadmission screening instrument, the eligibility and enrollment system and the services delivery system.

G. The Committee, in conjunction with the ~~state entity designated by law or the Department, as specified in paragraph 1 of subsection A of Section 3 of this act~~ Oklahoma Health Care Authority, shall conduct a study of client advocacy and community outreach. The Committee shall submit a report to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives no later than January 1, 1997.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1010.8 of Title 56, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Oklahoma Health Care Authority to be designated the "Medicaid Expansion Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all taxes levied, pursuant to paragraph 1 of Section 624 of Title 36 of the Oklahoma Statutes, on premiums paid by entities subject to such premium tax on behalf of Medicaid recipients. All monies accruing to the credit of the fund are hereby appropriated and shall be budgeted and expended by the Oklahoma Health Care Authority for expansion of coverage under the State Medicaid Program pursuant to Section 3 of this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1010.9 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. As funds become available in the Medicaid Expansion Revolving Fund, the Oklahoma Health Care Authority is hereby authorized to expand coverage under the State Medicaid Program in three phases as follows:

1. First to pregnant women and children up to six (6) years of age in families whose incomes are below one hundred eighty-five percent (185%) of the federal poverty level;

2. Then to children seven (7) to eighteen (18) years of age in families whose incomes are below one hundred eighty-five percent (185%) of the federal level. Coverage to such individuals shall be provided on a sliding fee scale basis; and

3. Then to all individuals in families whose incomes are below one hundred eighty-five percent (185%) of the federal poverty level, and who have been uninsured for the six (6) months immediately preceding their date of application. Coverage to such individuals shall be provided on a sliding fee scale basis.

B. If necessary, the Authority shall submit an application for a waiver to the federal Health Care Financing Administration to implement the expansions.

C. 1. Expenditure of funds for expansion of coverage under the State Medicaid Program shall be contingent upon the amount of revenue in the Medicaid Expansion Revolving Fund being adequate to cover all expenses including federal matching funds associated therewith, however, the Authority shall fully implement the first phase of expansion before implementing the second phase and subsequently the third phase.

2. All health care plans providing medicaid services shall:

a. provide a baseline of goods and services not less in amount, duration and scope and no more restrictive than that offered by Oklahoma Medicaid program as of January 1, 1995, and

b. provide full written disclosure as to the amount, duration and scope of all goods and services, including patient co-payments for each good and service offered by the health care plan. Such disclosure must be made to each Medicaid recipient prior to program enrollment.

3. In the event of a reduction in funds available under Title XIX of the federal Social Security Act, prior to any expansion of

coverage under the State Medicaid Program pursuant to subsection A of this section, the Authority shall expend all monies accruing to the Medicaid Expansion Revolving Fund to maintain current eligibility levels under Title XIX of the federal Social Security Act.

D. The Authority shall submit the plan for expansion of coverage under the State Medicaid Program to the Joint Legislative Oversight Committee for the Oklahoma Medicaid Healthcare Options System for approval prior to implementation.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 199.4 of Title 56, unless there is created a duplication in numbering, reads as follows:

Whenever any services for the diagnosis or treatment of conditions affecting the human foot or ankle, including the local manifestations of systemic conditions, are included in any program financed with public funds or administered by any public agency, for aid to the indigent, the aged, the legally blind, or any other group or class of persons, the recipient of such aid, or his parent or guardian if he is a minor or otherwise legally incapacitated, shall be entitled to choose whether such services are to be performed by a duly licensed doctor of medicine and surgery, doctor of osteopathic medicine, or doctor of podiatric medicine, who shall be equally compensated for such services under the program.

SECTION 5. This act shall become effective November 1, 1995."

Passed the House of Representatives the 12th day of April, 1995.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1995.

President of the Senate