

SHORT TITLE: Oklahoma Health Care Authority Board; placing certain condition upon receipt of Medicaid payments; requiring certain hourly wage to certain employees; codification; effective date; emergency.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 357

By: Hobson

AS INTRODUCED

An Act relating to the Oklahoma Health Care Authority

Board; placing certain condition upon receipt of Medicaid payments; requiring competitive hourly wage to be paid to certified nurse aides within certain time period; requiring the Oklahoma Health Care Authority to make certain adjustments in certain rates; providing for certain findings, assurances and amendments related to the State Medicaid Plan for certain purpose; providing for adoption of certain rules, provisions and procedures for certain purpose; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5009.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Health Care Authority Board shall require by rule that each nursing facility and private intermediate care facility for the mentally retarded that receives Medicaid payments from the Oklahoma Health Care Authority shall, as a condition of receiving such Medicaid payments, pay a competitive hourly wage to those nurse aides employed by the facilities who have been certified

by the State Department of Health. Such rule shall require payment by the facilities of an hourly wage that is not less than the competitive hourly wage beginning no later than the second full month of employment of the certified nurse aide.

B. The Authority shall make appropriate adjustments in Medicaid payment rates for services provided by nursing facilities and private intermediate care facilities for the mentally retarded to reflect the direct and indirect payroll costs related to compliance with the rule required by subsection A of this section, including a reasonable estimate of the impact of the rule on wages and related payroll costs for workers who are not certified nurse aides. The Authority shall also make necessary findings and assurances, and any amendment or amendments to the State Medicaid Plan as may be required by federal law or regulations to ensure federal financial participation in the costs of such payment rate adjustments.

C. The Board and the Authority shall adopt such rules, contract provisions, and enforcement procedures as may be necessary and appropriate to ensure compliance by nursing facilities and private intermediate care facilities for the mentally retarded with the wage requirements imposed pursuant to subsection A of this section.

SECTION 2. This act shall become effective July 1, 1995.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

45-1-0404

CJ