

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1770

By: Toure

AS INTRODUCED

An Act relating to public health and safety; amending Section 7, Chapter 332, O.S.L. 1993, as last amended by Section 22, Chapter 1, O.S.L. 1995 (63 O.S. Supp. 1996, Section 5009), which relates to the Oklahoma Health Care Authority; clarifying reference; providing for certain employees to continue to be subject to the provisions of the Oklahoma Personnel Act; providing for exemption from certain provisions of the act; requiring assignment of status based on certain duties at certain time; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 7, Chapter 332, O.S.L. 1993, as last amended by Section 22, Chapter 1, O.S.L. 1995 (63 O.S. Supp. 1996, Section 5009), is amended to read as follows:

Section 5009. A. On and after July 1, 1993, the Oklahoma Health Care Authority shall be the state entity designated by law to assume the responsibilities for the preparation and development for converting the present delivery of the ~~Oklahoma~~ state Medicaid ~~Program~~ program to a managed care system. The system shall emphasize:

1. Managed care principles, including a capitated, prepaid system with either full or partial capitation, provided that highest priority shall be given to development of prepaid capitated health plans;

2. Use of primary care physicians to establish the appropriate type of medical care a Medicaid recipient should receive; and

3. Preventative care.

The Authority shall also study the feasibility of allowing a private entity to administer all or part of the managed care system.

B. On and after January 1, 1995, the Authority shall be the designated state agency for the administration of the ~~Oklahoma state Medicaid Program~~ state Medicaid program.

1. The Authority shall contract with the Department of Human Services for the determination of Medicaid eligibility and other administrative or operational functions related to the ~~Oklahoma state Medicaid Program~~ state Medicaid program as necessary and appropriate.

2. To the extent possible and appropriate, upon the transfer of the administration of the ~~Oklahoma state Medicaid Program~~ state Medicaid program, the Authority shall employ the personnel of the Medical Services Division of the Department of Human Services. All classified employees previously employed by the Department of Human Services, who voluntarily elect to retain their classified status even though such employees were hired into an unclassified position by the Authority on January 16, 1995, shall continue to be subject to the provisions of the Merit System of Personnel Administration as provided in the Oklahoma Personnel Act. Those classified employees shall be exempt from the provisions of the act governing classification and compensation, until the position occupied by the employee becomes classified. Employees shall be given status in the class to which the position is allocated based on duties being performed at the time the position becomes classified pursuant to the annual business and personnel plan.

3. The Department of Human Services and the Authority shall jointly prepare a transition plan for the transfer of the administration of the ~~Oklahoma state~~ Medicaid Program program to the Authority. The transition plan shall include provisions for the retraining and reassignment of employees of the Department of Human Services affected by said transfer. The transition plan shall be submitted to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives on or before January 1, 1995.

SECTION 2. 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.

46-1-5633

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