

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 2054

By: Greenwood

AS INTRODUCED

An Act relating to poor persons; amending 56 O.S.

1991, Section 206, which relates to medical assistance program for infants and pregnant women; deleting obsolete language; and providing an effective date.

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

SECTION 1. AMENDATORY 56 O.S. 1991, Section 206, is amended to read as follows:

Section 206. A. For the reduction of infant mortality and incidence of low birthweight, the Commission for Human Services is hereby authorized and directed, subject to availability of funds, to include as part of its Medicaid program an optional categorically needy group who meet the income and resource limitations and are:

1. Pregnant women;
2. Postpartum women, provided such group shall only be included in such program for the sixty-day period after parturition; and
3. Infants under one (1) year of age.

B. Eligibility criteria for the optional categorically needy program established by subsection A of this section shall be

determined by rules and regulations promulgated by the Commission for Human Services subject to the following requirements:

1. The income level for eligibility shall be set at one hundred percent (100%) of the nonfarm income official poverty line, as defined by the Office of Management and Budget, and revised annually in accordance with Section 673(2) of the Omnibus Budget Reconciliation Act of 1981, applicable to a family of the size involved.

A woman described by subsection A of this section shall continue to be treated as eligible without regard to any change in income of the family of which she is a member until the end of the sixty-day period beginning on the last day of her pregnancy.

Family income shall be determined in accordance with the methodology employed under the state plan pursuant to Part A or E of Title IV of the federal Social Security Act. Costs incurred for medical care or for any other type of remedial care shall not be included in eligibility determination.

An infant described by subsection A of this section who is receiving inpatient services for which medical assistance is provided on the date the infant attains the maximum age with respect to which coverage is provided under the Medicaid State Plan for such individuals shall continue to be treated as eligible until the end of the stay for which inpatient services are furnished.

2. The resource level for eligibility for pregnant women and postpartum women may be eliminated or may be set by the Commission for Human Services, provided that it is no more restrictive than the level set under Title XVI of the uncodified federal Social Security Act.

3. The resource level for eligibility for an infant under one (1) year of age may be eliminated or may be set by the Commission, provided that it is no more restrictive than the resource level set for the Oklahoma aid to families with dependent children program.

C. The Commission for Human Services shall, by rules ~~and regulations~~, establish the amount, scope and duration of medical services provided to the optional categorically needy group established by subsection A of this section. Medical services to pregnant women pursuant to subsection A of this section shall include services and assistance for services related to pregnancy, delivery, and prenatal and postpartum care and to other conditions which may complicate pregnancy. Notwithstanding any other provision of this act, reimbursement of or payment for medical services provided through the optional categorically needy group established by subsection A of this section shall not include induced abortion, diagnostic procedures done for the purpose of inducing an abortion, or other procedures related to induced abortion unless the physician certifies in written form that the mother's life is in danger if the fetus is carried to term.

SECTION 2. This act shall become effective November 1, 1997.

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