

ENROLLED SENATE
BILL NO. 914

By: Haney and Hobson of the
Senate

and

Settle, Begley, Beutler
and Bonny of the House

An Act relating to health service agencies; amending Section 3, Chapter 336, O.S.L. 1992, as last amended by Section 3, Chapter 397, O.S.L. 1999 (63 O.S. Supp. 1999, Section 1-107.1), which relates to the Eldercare Revolving Fund; clarifying certain allowable indirect costs; amending Section 3, Chapter 348, O.S.L. 1999 (63 O.S. Supp. 1999, Section 5023), which relates to annual per diem rate adjustments; including certain facilities and residents in per diem adjustment; requiring the Oklahoma Health Care Authority to contract with certain entity for development of certain request for proposal; specifying procedures in preparing request for proposal; specifying date for submission of report and implementation; providing for noncodification; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 3, Chapter 336, O.S.L. 1992, as last amended by Section 3, Chapter 397, O.S.L. 1999 (63 O.S. Supp. 1999, Section 1-107.1), is amended to read as follows:

Section 1-107.1 A. There is hereby created in the State Treasury a Revolving Fund for the State Department of Health to be designated the "Eldercare Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies deposited to the credit of the fund by law.

B. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the State Department of Health for operation of local Eldercare case management programs. A full accounting of the expenditures of the program shall be sent to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor by January 15 of each year. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

C. The Eldercare Revolving Fund shall not be used for the costs the State Department of Health incurs in administering the local programs.

D. The State Department of Health shall recognize and reimburse indirect costs for Eldercare Programs, administered by contractors, if the costs are charged in accordance with ~~a federally approved~~ an indirect cost allocation plan developed in accordance with federal guidelines established by the United States Office of Management and Budget Circular A-87. In no case shall the State Department of Health reimburse indirect costs in excess of twenty percent (20%) of total State Department of Health funded Eldercare and ADvantage program costs.

SECTION 2. AMENDATORY Section 3, Chapter 348, O.S.L. 1999 (63 O.S. Supp. 1999, Section 5023) is amended to read as follows:

Section 5023. Effective January 1, 2000, and every January thereafter, the Oklahoma Health Care Authority will adjust the ~~nursing facility~~ per diem rate of nursing facilities serving adults (NFs) and intermediate care facilities for the mentally retarded (ICFs/MR) in an amount equal to the total amount of the savings to the Medicaid program as a result of the automatic cost-of-living adjustment on Social Security benefits received by residents of nursing homes recipients and intermediate care facilities for the mentally retarded, as published in the Federal Register.

SECTION 3. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. On or before October 1, 2000, the Oklahoma Health Care Authority shall contract with a qualified outside entity to prepare a request for proposal for a disease state management program for the Oklahoma Medicaid program. The contractor shall be selected on the basis of proven experience in developing disease state management programs. The contract shall be for an amount not to exceed Fifty Thousand Dollars (\$50,000.00).

B. The contractor shall solicit advice from interested parties in developing the request for proposal, including, but not limited to, physicians, pharmacists, pharmaceutical manufacturers, advocates for persons with chronic medical conditions and experts on disease state management. The Authority shall facilitate the convening of at least one open public meeting no later than November 15, 2000 to solicit advice from interested parties.

C. On or before January 15, 2001, the contractor shall submit a request for proposal for a disease state management program to the Authority and the Joint Legislative Oversight Committee of the Oklahoma Health Care Authority. Under the terms of the request for proposal, implementation of the program shall begin no later than January 1, 2002.

SECTION 4. This act shall become effective July 1, 2000.

SECTION 5. 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.

Passed the Senate the 25th day of May, 2000.

President of the Senate

Passed the House of Representatives the 26th day of May, 2000.

Speaker of the House of
Representatives