

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 799

By: Dunlap

AS INTRODUCED

An Act relating to poor persons and public health and safety; amending 56 O.S. 1991, Section 26.16, which relates to rules, and Section 6, Chapter 332, O.S.L. 1993, as last amended by Section 111, Chapter 3, O.S.L. 1996 (63 O.S. Supp. 2000, Section 5008), which relates to the powers and duties of the administrator; requiring the Director of Human Services and the Administrator of the Oklahoma Health Care Authority to enter into specified agreement; requiring promulgation of necessary rules; deleting obsolete language; and declaring an emergency.

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

SECTION 1. AMENDATORY 56 O.S. 1991, Section 26.16, is amended to read as follows:

Section 26.16 A. The Director of Human Services, subject to the approval of the Oklahoma Commission for Human Services, is hereby authorized and directed to promulgate rules ~~and regulations~~ establishing policies with reference to eligibility of applicants for general assistance and emergency relief and the maximum sums that may be allocated to those persons having met the minimum requirements and declared as eligible for participation in accordance with the provisions of this act, subject to the availability of funds. ~~Provided that the minimum payment shall not be less than Ten Dollars (\$10.00) and the maximum payment shall not be more than the standard for aid to families with dependent children.~~

B. The Director of Human Services shall enter into a cooperative agreement with the Administrator of the Oklahoma Health Care Authority to facilitate the eligibility determination of

recipients of Medicaid and the administration of the state Medicaid program. The Commission for Human Services shall promulgate any rules necessary to the accomplishment of such agreement.

SECTION 2. AMENDATORY Section 6, Chapter 332, O.S.L. 1993, as last amended by Section 111, Chapter 3, O.S.L. 1996 (63 O.S. Supp. 2000, Section 5008), is amended to read as follows:

Section 5008. A. The Administrator of the Authority shall have the training and experience necessary for the administration of the Authority, as determined by the Oklahoma Health Care Authority Board, including, but not limited to, prior experience in the administration of managed health care. The Administrator shall serve at the pleasure of the Board.

B. The Administrator of the Oklahoma Health Care Authority shall be the chief executive officer of the Authority and shall act for the Authority in all matters except as may be otherwise provided by law. The powers and duties of the Administrator shall include but not be limited to:

1. Supervision of the activities of the Authority;
2. Formulation and recommendation of rules for approval or rejection by the Oklahoma Health Care Authority Board and enforcement of rules and standards promulgated by the Board;
3. Preparation of the plans, reports and proposals required by the Oklahoma Health Care Authority Act, Section 5003 et seq. of this title, other reports as necessary and appropriate, and an annual budget for the review and approval of the Board;
4. Employment of such staff as may be necessary to perform the duties of the Authority including but not limited to an attorney to provide legal assistance to the Authority for the state Medicaid program; and
5. Establishment of a contract bidding process which:
  - a. encourages competition among entities contracting with the Authority for state-purchased and state-subsidized

health care; provided, however, the Authority may make patient volume adjustments to any managed care plan whose prime contractor is a state-sponsored, nationally accredited medical school. The Authority may also make education or research supplemental payments to state-sponsored, nationally accredited medical schools based on the level of participation in any managed care plan by managed care plan participants,

b. coincides with the state budgetary process, and

c. specifies conditions for awarding contracts to any insuring entity.

C. The Administrator may appoint advisory committees as necessary to assist the Authority with the performance of its duties or to provide the Authority with expertise in technical matters.

D. The Administrator of the Oklahoma Health Care Authority shall enter into a cooperative agreement with the Director of Human Services to facilitate the eligibility determination of recipients of Medicaid and the administration of the state Medicaid program. The Oklahoma Health Care Authority Board shall promulgate any rules necessary to the accomplishment of such agreement.