

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2713

By: Billy

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to Medicaid coverage; amending 56
9 O.S. 2001, Section 1010.1, as last amended by Section
10 1, Chapter 230, O.S.L. 2007 (56 O.S. Supp. 2007,
11 Section 1010.1), which relates to the Oklahoma
12 Medicaid Program Reform Act of 2003; exempting
13 certain persons from qualifying employer requirement;
14 providing for eligibility for premium assistance
15 program for certain persons if funding permits; and
16 providing an effective date.

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

18 SECTION 1. AMENDATORY 56 O.S. 2001, Section 1010.1, as
19 last amended by Section 1, Chapter 230, O.S.L. 2007 (56 O.S. Supp.
20 2007, Section 1010.1), is amended to read as follows:

21 Section 1010.1 A. Sections 1010.1 through 1010.7 of this title
22 shall be known and may be cited as the "Oklahoma Medicaid Program
23 Reform Act of 2003".

24 B. Recognizing that many Oklahomans do not have health care
benefits or health care coverage, that many small businesses cannot
afford to provide health care benefits to their employees, and that,

1 under federal law, barriers exist to providing Medicaid benefits to
2 the uninsured, the Oklahoma Legislature hereby establishes
3 provisions to lower the number of uninsured, assist businesses in
4 their ability to afford health care benefits and coverage for their
5 employees, and eliminate barriers to providing health coverage to
6 eligible enrollees under federal law.

7 C. The Oklahoma Health Care Authority shall provide coverage
8 under the state Medicaid program to children under the age of
9 eighteen (18) years whose family incomes do not exceed one hundred
10 eighty-five percent (185%) of the federal poverty level.

11 D. 1. The Authority is directed to apply for a waiver or
12 waivers to the Centers for Medicaid and Medicare Services (CMS) that
13 will accomplish the purposes outlined in subsection B of this
14 section. The Authority is further directed to negotiate with CMS to
15 include in the waiver authority provisions to:

- 16 a. increase access to health care for Oklahomans,
- 17 b. reform the Oklahoma Medicaid Program to promote
18 personal responsibility for health care services and
19 appropriate utilization of health care benefits
20 through the use of public-private cost sharing,
- 21 c. enable small employers, and/or employed, uninsured
22 adults with or without children to purchase employer-
23 sponsored, state-approved private, or state-sponsored
24 health care coverage through a state premium

1 assistance payment plan. If by January 1, 2012, the
2 Employer/Employee Partnership for Insurance Coverage
3 Premium Assistance Program is not consuming more than
4 seventy-five percent (75%) of its dedicated source of
5 funding, then the program will be expanded to include
6 parents of children eligible for Medicaid, and

7 d. develop flexible health care benefit packages based
8 upon patient need and cost.

9 2. The Authority may phase in any waiver or waivers it receives
10 based upon available funding.

11 3. The Authority is authorized to develop and implement a
12 premium assistance plan to assist small businesses and/or their
13 eligible employees to purchase employer-sponsored insurance or "buy-
14 in" to a state-sponsored benefit plan.

15 4. The Authority is authorized to seek from the Centers for
16 Medicare and Medicaid Services any waivers or amendments to existing
17 waivers necessary to accomplish an expansion of the premium
18 assistance program to include employers with two hundred fifty
19 employees or less up to any level supported by existing funding
20 resources. Foster parents employed by employers with greater than
21 two hundred fifty employees shall be exempt from the qualifying
22 employer requirement provided for in this paragraph and shall be
23 eligible to qualify for the premium assistance program provided for
24 in this section if supported by existing funding.

1 5. The Authority is authorized to seek from the Centers for
2 Medicare and Medicaid Services any waivers or amendments to existing
3 waivers necessary to accomplish an extension of the premium
4 assistance program to include qualified employees whose family
5 income does not exceed two hundred fifty percent (250%) of the
6 federal poverty level, subject to the limit of federal financial
7 participation.

8 E. 1. There is hereby created in the State Treasury a
9 revolving fund to be designated the "Health Employee and Economy
10 Improvement Act (HEEIA) Revolving Fund".

11 2. The fund shall be a continuing fund, not subject to fiscal
12 year limitations, and shall consist of:

- 13 a. all monies received by the Authority pursuant to this
14 section and otherwise specified or authorized by law,
- 15 b. monies received by the Authority due to federal
16 financial participation pursuant to Title XIX of the
17 Social Security Act, and
- 18 c. interest attributable to investment of money in the
19 fund.

20 3. All monies accruing to the credit of the fund are hereby
21 appropriated and shall be budgeted and expended by the Authority to
22 implement a premium assistance plan.

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SECTION 2. This act shall become effective November 1, 2008.

51-2-10232 SAB 02/20/08