

1 ENGROSSED SENATE
2 BILL NO. 1404

By: Brown and Ford of the
Senate

3 and

4 Wright of the House

5
6
7 [poor persons - premium assistance program -
8 effective date]
9

10

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

12 SECTION 1. AMENDATORY 56 O.S. 2001, Section 1010.1, as
13 last amended by Section 27 of Enrolled Senate Bill No. 1830 of the
14 2nd Session of the 51st Legislature, is amended to read as follows:

15 Section 1010.1 A. Sections 1010.1 ~~through 1010.7~~ et seq. of
16 this title shall be known and may be cited as the "Oklahoma Medicaid
17 Program Reform Act of 2003".

18 B. Recognizing that many Oklahomans do not have health care
19 benefits or health care coverage, that many small businesses cannot
20 afford to provide health care benefits to their employees, and that,
21 under federal law, barriers exist to providing Medicaid benefits to
22 the uninsured, the Oklahoma Legislature hereby establishes
23 provisions to lower the number of uninsured, assist businesses in
24 their ability to afford health care benefits and coverage for their

1 employees, and eliminate barriers to providing health coverage to
2 eligible enrollees under federal law.

3 C. Unless otherwise provided by law, the Oklahoma Health Care
4 Authority shall provide coverage under the state Medicaid program to
5 children under the age of eighteen (18) years whose family incomes
6 do not exceed one hundred eighty-five percent (185%) of the federal
7 poverty level.

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

- 13 a. increase access to health care for Oklahomans,
- 14 b. reform the Oklahoma Medicaid Program to promote
15 personal responsibility for health care services and
16 appropriate utilization of health care benefits
17 through the use of public-private cost sharing,
- 18 c. enable small employers, and/or employed, uninsured
19 adults with or without children to purchase employer-
20 sponsored, state-approved private, or state-sponsored
21 health care coverage through a state premium
22 assistance payment plan. If by January 1, 2012, the
23 Employer/Employee Partnership for Insurance Coverage
24 Premium Assistance Program is not consuming more than

1 seventy-five percent (75%) of its dedicated source of
2 funding, then the program will be expanded to include
3 parents of children eligible for Medicaid, and

4 d. develop flexible health care benefit packages based
5 upon patient need and cost.

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

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

12 4. The Authority is authorized to seek from the Centers for
13 Medicare and Medicaid Services any waivers or amendments to existing
14 waivers necessary to accomplish an expansion of the premium
15 assistance program to:

16 a. include for-profit employers with two hundred fifty
17 employees or less up to any level supported by existing
18 funding resources; and

19 b. include not-for-profit employers with five hundred
20 employees or less up to any level supported by existing
21 funding resources.

22 For purposes of this paragraph, "for-profit employer" shall mean
23 an entity which is not exempt from taxation pursuant to the
24 provisions of Section 501(c)(3) of the Internal Revenue Code and

1 "not-for-profit employer" shall mean an entity which is exempt from
2 taxation pursuant to the provisions of Section 501(c)(3) of the
3 Internal Revenue Code.

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

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

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

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

23 3. All monies accruing to the credit of the fund are hereby
24 appropriated and shall be budgeted and expended by the Authority to

