

EHB 2713

1 THE STATE SENATE  
2 Monday, April 7, 2008

3 ENGROSSED

4 House Bill No. 2713

5 As Amended

6 ENGROSSED HOUSE BILL NO. 2713 - By: Billy, Brown, Hilliard, McDaniel  
7 (Jeannie), Pittman, Steele, Hoskin, Kiesel, Roan and Walker of the  
8 House and Crain of the Senate.

9 [ Medicaid coverage - Oklahoma Medicaid Program Reform Act  
10 of 2003 - providing for eligibility - effective date ]

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 Oklahoma Legislature, is amended to read as  
15 follows:

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

19 B. Recognizing that many Oklahomans do not have health care  
20 benefits or health care coverage, that many small businesses cannot  
21 afford to provide health care benefits to their employees, and that,  
22 under federal law, barriers exist to providing Medicaid benefits to  
23 the uninsured, the Oklahoma Legislature hereby establishes  
24 provisions to lower the number of uninsured, assist businesses in  
25 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

1 Premium Assistance Program is not consuming more than  
2 seventy-five percent (75%) of its dedicated source of  
3 funding, then the program will be expanded to include  
4 parents of children eligible for Medicaid, and

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

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

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

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

1           SECTION 2.   This act shall become effective November 1, 2008.  
2   COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-2-08 - DO  
3   PASS, As Amended.