

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1404

By: Brown

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5  
6 AS INTRODUCED

7 An Act relating to poor persons; amending 56 O.S.  
8 2001, Section 1010.1, as last amended by Section 1,  
9 Chapter 230, O.S.L. 2007 (56 O.S. Supp. 2007, Section  
10 1010.1), which relates to the premium assistance  
11 program; expanding certain program for specified  
12 persons; defining terms; and providing an effective  
13 date.

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

15 SECTION 1. AMENDATORY 56 O.S. 2001, Section 1010.1, as  
16 last amended by Section 1, Chapter 230, O.S.L. 2007 (56 O.S. Supp.  
17 2007, Section 1010.1), is amended to read as follows:

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

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

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

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

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

- 14 a. increase access to health care for Oklahomans,
- 15 b. reform the Oklahoma Medicaid Program to promote  
16 personal responsibility for health care services and  
17 appropriate utilization of health care benefits  
18 through the use of public-private cost sharing,
- 19 c. enable small employers, and/or employed, uninsured  
20 adults with or without children to purchase employer-  
21 sponsored, state-approved private, or state-sponsored  
22 health care coverage through a state premium  
23 assistance payment plan. If by January 1, 2012, the  
24 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:

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

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

23 For purposes of this paragraph, "for-profit employer" shall mean  
24 an entity which is not exempt from taxation pursuant to the

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

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

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

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

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

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

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

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