

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1459

By: Rice

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5  
6 AS INTRODUCED

7 An Act relating to poor persons; creating the  
8 Medicaid and Uncompensated Care Employer Disclosure  
9 Act; providing short title; permitting certain  
10 persons to submit specified information; requiring  
11 certain summary reports; requiring certain annual  
report; specifying contents of certain report;  
12 providing for privacy; setting certain deadline;  
13 providing for codification; and providing an  
effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 68 of Title 56, unless there is  
17 created a duplication in numbering, reads as follows:

18 This act shall be known and may be cited as the "Medicaid and  
19 Uncompensated Care Employer Disclosure Act".

20 SECTION 2. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 69 of Title 56, unless there is  
22 created a duplication in numbering, reads as follows:

23 A. An applicant for health benefits under the state Medicaid  
24 program, or a person requesting uncompensated or charity care in a

1 hospital, may identify the individual's employer or employers. If  
2 the individual is not employed, the applicant may identify the  
3 employer or employers of any adult who is responsible for providing  
4 all or some of the individual's support.

5 B. The Department of Human Services shall determine, from  
6 information that may be provided by an individual receiving health  
7 benefits under the state Medicaid program pursuant to subsection A  
8 of this section, whether that individual is employed, and if the  
9 individual is employed, the identity of the employer. The  
10 Department of Human Services shall annually submit to the Insurance  
11 Department a summary report of the employment status information  
12 obtained from individuals receiving health benefits under the state  
13 Medicaid program in the calendar year, including available  
14 information regarding the approximate cost to provide health  
15 benefits to the individuals through the state Medicaid program.  
16 Summary reports shall be submitted to the Insurance Department on or  
17 before March 1 of the following calendar year. Nothing in the  
18 report shall contain the name, address, or any other identifying  
19 information of any individual who received health benefits under the  
20 state Medicaid program.

21 C. Hospitals licensed in this state which are required to  
22 report information on uncompensated care for inclusion in the  
23 Medicare Cost Report shall determine, from information that may be  
24 provided by an individual receiving uncompensated or charity care

1 pursuant to subsection A of this section, whether that individual is  
2 employed, and if the individual is employed, the identity of the  
3 employer. Such hospitals shall annually submit to the Insurance  
4 Department a summary report of the employment status information  
5 obtained from individuals receiving uncompensated or charity care in  
6 the calendar year, including available information regarding the  
7 cost of the care provided to the individuals. Summary reports shall  
8 be submitted to the Insurance Department on or before March 1 of the  
9 following calendar year. Nothing in the report shall contain the  
10 name, address, or any other identifying information of any  
11 individual who received uncompensated or charity care.

12 SECTION 3. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 70 of Title 56, unless there is  
14 created a duplication in numbering, reads as follows:

15 A. The Insurance Department shall prepare an annual report to  
16 be submitted to the Legislature containing information compiled from  
17 summary reports obtained pursuant to Section 2 of this act. At a  
18 minimum, the report shall contain the following information for each  
19 employer who has more than one hundred employees and twenty-five or  
20 more individuals employed who received health benefits through the  
21 state Medicaid program or who received uncompensated or charity care  
22 in the calendar year:

23 1. The name and address of the qualified employer;  
24

- 1        2. The number of individuals employed by full-time or part-time  
2 status;
- 3        3. The number of individuals employed who received health  
4 benefits through the state Medicaid program in the calendar year and  
5 the approximate cost of those benefits;
- 6        4. The number of individuals employed who received  
7 uncompensated or charity care in the calendar year and the cost of  
8 that care;
- 9        5. The number of spouses or dependents of individuals employed  
10 who received health benefits through the state Medicaid program in  
11 the calendar year and the approximate cost of those benefits;
- 12        6. The number of spouses or dependents of individuals employed  
13 who received uncompensated or charity care in the calendar year and  
14 the cost of that care;
- 15        7. Information on whether the employer offers health insurance  
16 benefits to employees and their dependents;
- 17        8. If the employer offers health insurance benefits,  
18 information on the premium cost to the employees; and
- 19        9. The cost to the state for providing care for employees  
20 calculated from the approximate cost to provide health benefits  
21 through the state Medicaid program and the cost of uncompensated or  
22 charity care.
- 23        B. The report shall include a description of the methodology  
24 used in the collection of the data and an analysis regarding the

1 effect of employment and health coverage on the state Medicaid  
2 program and uncompensated or charity care in the state.

3 C. The Insurance Department shall take care to ensure that none  
4 of the information included in the annual report could reasonably  
5 lead to the identification of any individual who provided  
6 information pursuant to Section 2 of this act. The report shall be  
7 subject to privacy standards in both the Health Insurance  
8 Portability and Accountability Act of 1996 and Title XIX of the  
9 federal Social Security Act.

10 D. The first annual report shall be submitted to the  
11 Legislature on or before July 1, 2010, and subsequent reports shall  
12 be submitted on or before that date each year thereafter.

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

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