

SUBCOMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1825 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Dennis Johnson _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 PROPOSED SUBCOMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1825

By: Johnson

7 PROPOSED SUBCOMMITTEE SUBSTITUTE

8 An Act relating to poor persons; amending 56 O.S.
9 2001, Section 1010.1, as last amended by Section 1,
10 Chapter 412, O.S.L. 2008 (56 O.S. Supp. 2008, Section
11 1010.1), which relates to Medicaid; expanding scope
12 of certain premium assistance program; defining term;
13 and providing an effective 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 412, O.S.L. 2008 (56 O.S. Supp.
17 2008, Section 1010.1), is amended to read as follows:

18 Section 1010.1 A. ~~Sections~~ Section 1010.1 et seq. of this
19 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

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

6 C. Unless otherwise provided by law, the Oklahoma Health Care
7 Authority shall provide coverage under the state Medicaid program to
8 children under the age of eighteen (18) years whose family incomes
9 do not exceed one hundred eighty-five percent (185%) of the federal
10 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, including part-time employees, to purchase
14 employer-sponsored insurance or "buy-in" to a state-sponsored
15 benefit plan.

16 4. a. The Authority is authorized to seek from the Centers for
17 Medicare and Medicaid Services any waivers or amendments
18 to existing waivers necessary to accomplish an expansion
19 of the premium assistance program to:

20 (1) include for-profit employers with two hundred fifty
21 employees or less up to any level supported by
22 existing funding resources; ~~and~~

1 (2) include not-for-profit employers with five hundred
2 employees or less up to any level supported by
3 existing funding resources; and

4 (3) include employed persons who have been diagnosed
5 with a disability, regardless of employer status,
6 up to any level supported by existing funding. For
7 purposes of this paragraph, "disability" means a
8 condition which causes the restricted use of the
9 extremities by an individual or affects other
10 bodily functions of an individual including but not
11 limited to mental retardation, hearing impairments,
12 speech or language impairments, visual impairments,
13 serious emotional disturbance, orthopedic
14 impairments, autism, traumatic brain injury, and
15 any other health impairments or learning
16 disabilities determined by the Authority to qualify
17 as a disability.

18 b. Foster parents employed by employers with greater than
19 two hundred fifty employees shall be exempt from the
20 qualifying employer requirement provided for in this
21 paragraph and shall be eligible to qualify for the
22 premium assistance program provided for in this section
23 if supported by existing funding.

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

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

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

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

- 19 a. all monies received by the Authority pursuant to this
20 section and otherwise specified or authorized by law,
21 b. monies received by the Authority due to federal
22 financial participation pursuant to Title XIX of the
23 Social Security Act, and
24

1 c. interest attributable to investment of money in the
2 fund.

3 3. All monies accruing to the credit of the fund are hereby
4 appropriated and shall be budgeted and expended by the Authority to
5 implement a premium assistance plan, unless otherwise provided by
6 law.

7 SECTION 2. This act shall become effective November 1, 2009.

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9 52-1-6705 SAB 02/05/09

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