

1 ENGROSSED HOUSE
2 BILL NO. 3231

By: Jackson and Wright (John)
of the House

3 and

4 Anderson of the Senate
5
6
7

8 An Act relating to poor persons; amending Section 9,
9 Chapter 315, O.S.L. 2006 (56 O.S. Supp. 2009, Section
10 1011.9), which relates to the establishment of a
11 method to reduce the payment error rate; defining
12 term; specifying time of certain training; providing
13 for certain referral upon suspicion of fraud;
14 providing for appeal upon certain condition;
15 providing for hearing; providing for participation
16 and legal representation in hearing; requiring report
17 to the Governor and Legislature; and providing an
18 effective date.

19
20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. AMENDATORY Section 9, Chapter 315, O.S.L.
22 2006 (56 O.S. Supp. 2009, Section 1011.9), is amended to read as
23 follows:

24 Section 1011.9 A. 1. The Oklahoma Health Care Authority shall
establish a method to deter abuse and reduce errors in Medicaid
billing, payment, and eligibility through the use of technology and
accountability measures for the Authority, providers, and consumers.
The Authority shall achieve a payment error rate measurement of no

1 greater than five percent (5%) by fiscal year 2009. The Oklahoma
2 Health Care Authority shall evaluate and report findings to the
3 Governor and the Legislature.

4 2. For the purposes of this section, "error rate" means errors
5 based on clearly defined objective documentation standards that are
6 readily available to providers. Training to meet the standards
7 shall be provided on at least an annual basis by the Oklahoma Health
8 Care Authority.

9 B. 1. If errors are suspected to be the result of fraudulent
10 acts, the errors shall be reported and investigated by the Oklahoma
11 Attorney General.

12 2. Recoupment of overpayments due to identified errors
13 determined not to be fraudulent and shall occur only after the
14 provider has had the opportunity to exercise the right to an appeal
15 that shall include a hearing conducted by an administrative law
16 judge appointed by the Oklahoma Attorney General. The provider
17 shall have the right to participate in the hearing and to be
18 represented by legal counsel.

19 C. The Oklahoma Health Care Authority shall evaluate and report
20 findings concerning the limited use of the extrapolation method to
21 the Governor and the Legislature.

22 SECTION 2. This act shall become effective November 1, 2010.
23
24

1 Passed the House of Representatives the 1st day of March, 2010.

2
3
4 Presiding Officer of the House of
Representatives

5
6 Passed the Senate the ____ day of _____, 2010.

7
8
9 Presiding Officer of the Senate