

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 SENATE BILL 1822

By: Bingman

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5
6 AS INTRODUCED

7 An Act relating to Medicaid; amending 56 O.S. 2011,
8 Section 1002, which relates to definitions;
clarifying language; and providing an effective date.

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

12 SECTION 1. AMENDATORY 56 O.S. 2011, Section 1002, is
13 amended to read as follows:

14 Section 1002. As used in the Oklahoma Medicaid Program
15 Integrity Act:

- 16 1. "Authority" means the Oklahoma Health Care Authority;
- 17 2. "Attorney General" means the Attorney General of this state,
18 his or her employees or ~~his~~ authorized representatives;
- 19 3. "Claim" means a communication, including written,
20 electronic, or magnetic, which is ~~utilized~~ used to identify a good,
21 item, or service as reimbursable pursuant to the Oklahoma Medicaid
22 Program, or which states income or expense and is or may be used to
23 determine a rate of payment pursuant to the Oklahoma Medicaid
24 Program; and any application for payment by any person from the

1 Oklahoma Medicaid Program or its fiscal agents for each good or
2 service purported by any person to have been provided by any person
3 to any Medicaid recipient;

4 4. "Fiscal agents" means any individual, firm, corporation,
5 professional association, partnership, organization, or other legal
6 entity which, through a contractual relationship with the Oklahoma
7 Health Care Authority and, thereby, the State of Oklahoma, receives,
8 processes, and pays claims under the Oklahoma Medicaid Program;

9 5. "Kickback" means a return in any form by any individual,
10 company, corporation, partnership, or association of a part of an
11 expenditure made by a provider:

12 a. to the same provider,

13 b. to an entity controlled by the provider~~or~~, or

14 c. to an entity which the provider intends to benefit

15 whenever such expenditure is reimbursed, or

16 reimbursable, or claimed by a provider as being

17 reimbursable by the Oklahoma Medicaid Program and when

18 the sum or value returned is not credited to the

19 benefit of the Oklahoma Medicaid Program;

20 6. "Medicaid recipient" means any individual in whose behalf
21 any person claimed or received any payment or payments from the
22 Oklahoma Medicaid Program or its fiscal agents, whether or not any
23 such individual was eligible for benefits under the Oklahoma
24 Medicaid Program;

1 7. "Oklahoma Medicaid Program" means the state program
2 administered by the Oklahoma Health Care Authority pursuant to Title
3 XIX of the federal Social Security Act, which provides for payments
4 for medical goods or services on behalf of indigent families with
5 dependent children and of aged, blind, or disabled individuals whose
6 income and resources are insufficient to meet the cost of necessary
7 medical services;

8 8. "Person" means any Medicaid provider of goods or services or
9 any employee of such provider, whether that provider is an
10 individual, individual medical vendor, firm, corporation,
11 professional association, partnership, organization, or other legal
12 entity under the Oklahoma Medicaid Program, or any individual,
13 individual medical vendor, firm, corporation, professional
14 association, partnership, organization, other legal entity, or any
15 employee of such who is not a provider under the Oklahoma Medicaid
16 Program but who provides goods or services to a provider under the
17 Oklahoma Medicaid Program for which the provider submits claims to
18 the Oklahoma Medicaid Program or its fiscal agents;

19 9. "Provider" means any person who has applied to participate
20 or who participates in the Oklahoma Medicaid Program as a supplier
21 of a good or a service;

22 10. "Records" means all medical, professional, or business records
23 or documents relating to the treatment or care of any recipient, or
24 to a good or a service provided to any such recipient, or to rates

1 or amounts paid or claimed for such a good or a service including
2 but not limited to records of non-Medicaid goods or services to
3 verify rates or amounts; and any records required to be kept by the
4 Oklahoma Health Care Authority to be kept by any person; and

5 11. "Sign" means to affix a signature directly or indirectly by
6 means of handwriting, typewriter, signature stamp, computer impulse,
7 or other means recognized by Oklahoma Law.

8 SECTION 2. This act shall become effective November 1, 2014.

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