

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1718

By: Cox

AS INTRODUCED

An Act relating to poor persons; amending 56 O.S. 2011, Section 1010.1, which relates to the Oklahoma Medicaid Program Reform Act of 2003; revising name of certain program; deleting certain size requirement of businesses eligible under certain program; deleting requirement of certain program; and declaring an emergency.

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

SECTION 1. AMENDATORY 56 O.S. 2011, Section 1010.1, is amended to read as follows:

Section 1010.1 A. Section 1010.1 et seq. of this title shall be known and may be cited as the "Insure Oklahoma ~~Medicaid~~ Program ~~Reform Act of 2003~~".

B. Recognizing that many Oklahomans do not have health care benefits or health care coverage, that many ~~small~~ businesses cannot afford to provide health care benefits to their employees, and that, under federal law, barriers exist to providing Medicaid benefits to the uninsured, the Oklahoma Legislature hereby establishes provisions to lower the number of uninsured, assist businesses in

1 their ability to afford health care benefits and coverage for their
2 employees, and eliminate barriers to providing health coverage to
3 eligible enrollees under federal law.

4 C. Unless otherwise provided by law, the Oklahoma Health Care
5 Authority shall provide coverage under the state Medicaid program to
6 children under the age of eighteen (18) years whose family incomes
7 do not exceed one hundred eighty-five percent (185%) of the federal
8 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~~

~~Premium Assistance Program is not consuming more than seventy-five percent (75%) of its dedicated source of funding, then the program will be expanded to include parents of children eligible for Medicaid, and~~

- d. develop flexible health care benefit packages based upon patient need and cost.

2. The Authority may phase in any waiver or waivers it receives based upon available funding.

3. The Authority is authorized to develop and implement a premium assistance plan to assist ~~small~~ businesses and/or their eligible employees to purchase employer-sponsored insurance or "buy-in" to a state-sponsored benefit plan.

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

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

b. Foster parents employed by employers with greater than two hundred fifty employees shall be exempt from the

1 qualifying employer requirement provided for in this
2 paragraph and shall be eligible to qualify for the
3 premium assistance program provided for in this
4 section if supported by existing funding.

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

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

18 G. The Authority is authorized to create as part of the premium
19 assistance program an option to purchase a high-deductible health
20 insurance plan that is compatible with a health savings account.

21 H. 1. There is hereby created in the State Treasury a
22 revolving fund to be designated the "Health Employee and Economy
23 Improvement Act (HEEIA) Revolving Fund".
24

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

- 3 a. all monies received by the Authority pursuant to this
4 section and otherwise specified or authorized by law,
- 5 b. monies received by the Authority due to federal
6 financial participation pursuant to Title XIX of the
7 Social Security Act, and
- 8 c. interest attributable to investment of money in the
9 fund.

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

14 I. 1. The Authority shall establish a procedure for verifying
15 an applicant's individual income by utilizing available Oklahoma Tax
16 Commission records, new hire report data collected by the Oklahoma
17 Employment Security Commission, and child support payment data
18 collected by the Department of Human Services in accordance with
19 federal and state law.

20 2. The Oklahoma Tax Commission, Oklahoma Employment Security
21 Commission, and Department of Human Services shall cooperate in
22 accordance with federal and state law with the Authority to
23 establish procedures for the secure electronic transmission of an
24 applicant's individual income data to the Authority.

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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