

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1386

By: David of the Senate

and

Mulready of the House

COMMITTEE SUBSTITUTE

An Act relating to health insurance; creating the State Innovation Waiver; allowing for multiple waiver submissions; establishing certain procedures for development; requiring certain entities to submit information for approval; authorizing the Insurance Department to review health insurance market after waiver implementation; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1416 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. There is hereby authorized the creation and submission of a State Innovation Waiver for the purpose of creating Oklahoma health insurance products that improve health and healthcare quality while controlling costs.

1 B. The State Innovation Waiver may include multiple waiver
2 submissions under federal waiver authorities, including:

3 1. Waivers as provided in Section 1332 of the federal
4 Affordable Care Act for the purpose of waiving certain federal
5 insurance and tax regulations to create more state flexibility
6 within the health insurance market; and

7 2. Waivers as provided in Section 1115 of the federal Social
8 Security Act for the purpose of participating in the Delivery System
9 Reform Incentive Payment Program or uncompensated care pools or both
10 the Delivery System Reform Incentive Payment Program and
11 uncompensated care pools with the aim of incentivizing providers
12 through payment for achieving better health outcomes.

13 C. The State Innovation Waiver shall be created consistent with
14 the innovation design plan developed through the Oklahoma Health
15 Improvement Plan. It shall be presented to the Oklahoma Legislature
16 along with a summary of comments received from public hearings and
17 shall include the identification of specific provisions of the
18 Affordable Care Act to be waived in the State of Oklahoma.

19 D. Participating agencies, including but not limited to the
20 State Department of Health, the Oklahoma Health Care Authority, the
21 Department of Mental Health and Substance Abuse Services and the
22 Insurance Department, shall develop the State Innovation Waiver with
23 input from the private sector partners and various subject matter
24

1 experts and submit any and all necessary information for approval to
2 all relevant entities.

3 E. The Insurance Department is hereby authorized to conduct
4 rate review for the individual and small group health insurance
5 market upon implementation of the State Innovation Waiver under
6 Section 1332 of the federal Affordable Care Act.

7 SECTION 2. This act shall become effective November 1, 2016.

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