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February 12, 2018

AS AMENDED

SENATE BILL NO. 1094

By: Bergstrom

[Oklahoma Health Care Authority - payment error rates - effective date]

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

SECTION 1. AMENDATORY 56 O.S. 2011, Section 1011.9, is amended to read as follows:

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

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

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

4 2. Recoupment of overpayments due to identified errors
5 determined not to be fraudulent and shall occur only after the
6 provider has had the opportunity to exercise the right to an appeal
7 that shall include a hearing conducted by an administrative law
8 judge ~~appointed by the Oklahoma Attorney General~~. The provider
9 shall have the right to participate in the hearing and to be
10 represented by legal counsel.

11 C. The Oklahoma Health Care Authority shall evaluate and report
12 findings concerning the limited use of the extrapolation method to
13 the Governor and the Legislature.

14 SECTION 2. This act shall become effective November 1, 2018.

15 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
16 February 12, 2018 - DO PASS AS AMENDED
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