

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

February 19, 2018

AS AMENDED

SENATE BILL NO. 1267

By: Treat of the Senate

and

Calvey of the House

An Act relating to Medicaid provider eligibility; creating the Defunding Human Trafficking Act; providing short title; providing definitions; excluding certain providers from receiving reimbursement; allowing ineligible provider to reapply under certain conditions; **requiring Oklahoma Health Care Authority to publish certain findings; providing certain construction;** 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 1005.2 of Title 56, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Defunding Human Trafficking Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1005.3 of Title 56, unless there is created a duplication in numbering, reads as follows:

For purposes of this act:

1 1. "Provider" means a provider of services for compensation;

2 2. "Affiliate" means an entity which licenses the use of a
3 trademark or other recognized name to the provider, and which
4 exercises control over the use of part or all of the provider's
5 name, or any entity so licensed or controlled; and

6 3. "Fetal body parts" means tissue or cells obtained from a
7 dead human embryo or fetus.

8 SECTION 3. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 1005.4 of Title 56, unless there
10 is created a duplication in numbering, reads as follows:

11 A. No provider shall be eligible for reimbursement through
12 Medicaid or any other federal or state program, directly or by
13 subcontract with any other party, if that provider, or any affiliate
14 of that provider, has been found by a court of law, either civilly
15 or criminally, to have violated 42 U.S.C., Section 289g-2 (2010) or
16 any other federal or state law prohibiting trafficking in fetal body
17 parts.

18 B. Any provider found to be ineligible for reimbursement
19 pursuant to this section shall be able to reapply after a period of
20 five (5) years and a showing that they and their affiliates no
21 longer participate in the trafficking of fetal body parts.

22 **C. Within sixty (60) calendar days of receipt of a complaint of**
23 **a violation under this section, the Oklahoma Healthy Care Authority**
24 **shall publish the findings of its investigation of the complaint and**

1 issue a determination of whether a provider has committed a
2 violation of the provisions of this section. Nothing in this act
3 shall preclude other law enforcement entities or a party in qui tam
4 litigation from initiating action regarding this section.

5 SECTION 4. This act shall become effective November 1, 2018.

6 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
7 February 19, 2018 - DO PASS AS AMENDED
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24