

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 1094

By: Bergstrom

6 AS INTRODUCED

7 An Act relating to the Oklahoma Health Care
8 Authority; amending 56 O.S. 2011, Section 1011.9,
9 which relates to payment error rates; deleting
10 certain requirement; and providing an effective date.

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

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

14 Section 1011.9. A. 1. The Oklahoma Health Care Authority
15 shall establish a method to deter abuse and reduce errors in
16 Medicaid billing, payment, and eligibility through the use of
17 technology and accountability measures for the Authority, providers,
18 and consumers. The Authority shall achieve a payment error rate
19 measurement of no greater than five percent (5%) by fiscal year
20 2009. The Oklahoma Health Care Authority shall evaluate and report
21 findings to the Governor and the Legislature.

22 2. For the purposes of this section, "error rate" means errors
23 based on clearly defined objective documentation standards that are
24 readily available to providers. Training to meet the standards

1 shall be provided on at least an annual basis by the Oklahoma Health
2 Care Authority.

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

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

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

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

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