

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3597

By: Lepak

6 AS INTRODUCED

7 An Act relating to state welfare benefits; amending  
8 56 O.S. 2021, Section 241, which relates to  
participation in food stamp programs; prohibiting  
9 certain individuals from receiving benefits; amending  
56 O.S. 2021, Section 1011.15, which relates to  
SoonerCare eligibility; prohibiting certain  
10 individuals from receiving benefits; 63 O.S. 2021,  
Section 3209, which relates to determining certain  
11 Medicaid eligibility; prohibiting the authorization  
of certain individuals from eligibility; 63 O.S.  
12 2021, Section 3277, which relates to Medicaid  
eligibility criteria; prohibiting certain individuals  
13 from receiving eligibility; and providing an  
effective date.

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

17 SECTION 1. AMENDATORY 56 O.S. 2021, Section 241, is  
18 amended to read as follows:

19 Section 241. A. It shall be the mandatory duty of the  
20 Department of Human Services to participate in the food stamp  
21 program under the Food Stamp Act of 1977, as amended. The cost of  
22 distributing food stamp benefits shall be paid by the Department.

23 B. 1. The Department may, at its option:

1           a. operate the program of distributing food stamp  
2            benefits to families certified as eligible by the  
3            Department, or  
4           b. contract with private or public entities for the  
5            distribution of food stamp benefits.

6       2. Any program for distribution of food stamp benefits operated  
7 pursuant to the provisions of this subsection shall provide:

8           a. adequate qualified personnel, suitable facilities, and  
9            adequate participant access to such benefits through a  
10           system of electronic benefits transfer,  
11           b. adequate qualified personnel and suitable facilities  
12           for storage and issuing of any required food stamp  
13           coupons for benefits,  
14           c. any bonding of personnel, and insurance required by  
15           the Commission for Human Services, and  
16           d. that such exchange, distribution and accounting of  
17           food stamp benefits shall be in compliance with all  
18           federal and state regulations and rules applicable  
19           thereto.

20       C. Food stamp benefits may be obtained through one or more  
21       approved food stores, or through other means approved by the  
22       Department.

23       D. Unauthorized immigrants are individuals without proper legal  
24       documentation including, but not limited to, those who entered the

1    United States without inspection, overstayed a period of lawful  
2    admission, or violated the terms of their admission and shall not  
3    receive food stamp benefits under any circumstances. Any such  
4    individual who receives food stamp benefits or individual who  
5    knowingly assists an unauthorized immigrant in receiving such  
6    benefits shall be subject to penalties pursuant to Section 243 of  
7    this title.

8            SECTION 2.            AMENDATORY            56 O.S. 2021, Section 1011.15, is  
9    amended to read as follows:

10            Section 1011.15. A. The Oklahoma Health Care Authority (OHCA)  
11    shall seek Medicaid waiver authority to pursue modifications to  
12    Medicaid eligibility criteria so that receipt of SoonerCare coverage  
13    for certain Medicaid populations is conditional upon documentation  
14    of certain education, skills, training, work or job activities.  
15    Insure Oklahoma eligibility criteria is excluded from this  
16    requirement. This requirement is contingent upon approval from the  
17    federal Centers for Medicare and Medicaid Services and available  
18    state funding.

19            B. The SoonerCare eligibility modifications provided in  
20    subsection A of this section shall include criteria for work or job  
21    activities as required for the Supplemental Nutrition Assistance  
22    Program (SNAP) in 7 U.S.C., Section 2015(o). In order for an  
23    enrollee to remain eligible for SoonerCare, he or she shall comply  
24    with the work requirements for SNAP in 7 U.S.C., Section 2015(o).

1 The SoonerCare eligibility criteria work requirements shall be the  
2 same as the eligibility criteria work requirements for SNAP in 7  
3 U.S.C., Section 2015(o).

4 C. Exemptions to the eligibility criteria in this section shall  
5 be the same as the exemption criteria for SNAP in 7 U.S.C., Section  
6 2015(o)(3)(A), (B), (D) and (E) or Medicaid populations excluded  
7 pursuant to federal Medicaid laws and guidelines. Populations  
8 excluded from the requirements shall include those which are  
9 excluded by SNAP in 7 U.S.C., Section 2015(o)(3)(A), (B), (D) and  
10 (E) or federal Medicaid laws and guidelines. The state may adopt  
11 additional exemptions subject to agency rule-making and federal  
12 approval.

13 D. Unauthorized immigrants are individuals without proper legal  
14 documentation including, but not limited to, those who entered the  
15 United States without inspection, overstayed a period of lawful  
16 admission, or violated the terms of their admission and shall not  
17 receive Medicaid or SoonerCare benefits under any circumstances.  
18 Any such individual who receives food stamp benefits or individual  
19 who knowingly assists an unauthorized immigrant in receiving such  
20 benefits shall be subject to penalties pursuant to Sections 1005.1,  
21 1006, or 1007 of this title.

22 SECTION 3. AMENDATORY 63 O.S. 2021, Section 3209, is  
23 amended to read as follows:

1       Section 3209. The Department of Human Services or the successor  
2 agency responsible for Medicaid shall continue to determine  
3 eligibility criteria and standards for Medicaid recipients and  
4 indigents and continue to staff a Medicaid eligibility office at the  
5 University Hospitals. Unauthorized immigrants are individuals  
6 without proper legal documentation including, but not limited to,  
7 those who entered the United States without inspection, overstayed a  
8 period of lawful admission, or violated the terms of their admission  
9 and shall not be eligible for Medicaid or SoonerCare benefits under  
10 any circumstances.

11       SECTION 4.       AMENDATORY       63 O.S. 2021, Section 3277, is  
12 amended to read as follows:

13       Section 3277. The Oklahoma Health Care Authority shall continue  
14 to determine eligibility criteria and standards for Medicaid  
15 recipients. Unauthorized immigrants are individuals without proper  
16 legal documentation including, but not limited to, those who entered  
17 the United States without inspection, overstayed a period of lawful  
18 admission, or violated the terms of their admission and shall not be  
19 eligible for Medicaid or SoonerCare benefits under any  
20 circumstances.

21       SECTION 5. This act shall become effective November 1, 2026.  
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