

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 HOUSE BILL 1577

By: Lawson and West (Josh) of
the House

5 and

6 Daniels of the Senate
7

8
9 AS INTRODUCED

10 An Act relating to state Medicaid program; requiring
11 coverage of medically necessary donor human milk-
12 derived products under certain conditions; requiring
13 certain reimbursement; directing promulgation of
14 rules; authorizing adoption of certain policy or
15 procedure; directing the Oklahoma Health Care
16 Authority to seek certain federal approval; providing
17 for codification; and providing an effective date.
18

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 5026.2 of Title 63, unless there
22 is created a duplication in numbering, reads as follows:

23 A. The Oklahoma Health Care Authority shall, to the extent
24 permissible under federal law and subject to the federal approval
described in subsection D of this section, provide Medicaid coverage
for medically necessary donor human milk-derived products in an

1 inpatient or outpatient setting for an infant whose gestationally
2 corrected age is under twelve (12) months; provided:

3 1. A physician, physician assistant, or Advanced Practice
4 Registered Nurse licensed in this state signs an order stating that
5 donor human milk-derived products are medically necessary for the
6 infant Medicaid beneficiary due to any of the following:

7 a. the infant has a birth weight of less than one
8 thousand five hundred (1,500) grams or an infant body
9 weight below healthy levels, as determined by the
10 ordering provider,

11 b. the infant's gestational age at birth was thirty-four
12 (34) weeks or less, or

13 c. the infant has any congenital or acquired condition
14 for which the ordering provider determines that the
15 use of donor human milk-derived products is medically
16 necessary and will support the treatment and recovery
17 of the infant; and

18 2. The donor human milk-derived products adhere to such quality
19 standards as may be required by the Oklahoma Health Care Authority
20 Board.

21 B. Reimbursement under subsection A of this section for donor
22 human milk-derived products for an infant in an inpatient setting
23 shall be provided separately from the existing hospital payment for
24 inpatient services.

1 C. The Board shall promulgate rules to implement the provisions
2 of this section, and may adopt a policy or procedure to implement
3 the provisions of this section while in the process of promulgating
4 rules; provided, such policy or procedure shall be posted on the
5 Internet website of the Authority prior to adoption of the policy.

6 D. The Authority shall seek any federal approval necessary to
7 implement this section.

8 SECTION 2. This act shall become effective November 1, 2025.

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10 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
11 OVERSIGHT, dated 02/26/2025 - DO PASS.

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