

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1577

By: Lawson

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5  
6 AS INTRODUCED

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

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

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

19 A. The Oklahoma Health Care Authority shall, to the extent  
20 permissible under federal law and subject to the federal approval  
21 described in subsection D of this section, provide Medicaid coverage  
22 for medically necessary donor human milk-derived products in an  
23 inpatient or outpatient setting for an infant whose gestationally  
24 corrected age is under twelve (12) months; provided:

1. A physician, physician assistant, or Advanced Practice  
Registered Nurse licensed in this state signs an order stating that

1 donor human milk-derived products are medically necessary for the  
2 infant Medicaid beneficiary due to any of the following:

- 3 a. the infant has a birth weight of less than one  
4 thousand five hundred (1,500) grams or an infant body  
5 weight below healthy levels, as determined by the  
6 ordering provider,
- 7 b. the infant's gestational age at birth was thirty-four  
8 (34) weeks or less, or
- 9 c. the infant has any congenital or acquired condition  
10 for which the ordering provider determines that the  
11 use of donor human milk-derived products is medically  
12 necessary and will support the treatment and recovery  
13 of the infant; and

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

17 B. Reimbursement under subsection A of this section for donor  
18 human milk-derived products for an infant in an inpatient setting  
19 shall be provided separately from the existing hospital payment for  
20 inpatient services.

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

3 D. The Authority shall seek any federal approval necessary to  
4 implement this section.

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

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