

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3597

By: Lepak

AS INTRODUCED

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

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

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

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

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

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

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

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

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

D. Unauthorized immigrants are individuals without proper legal 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:
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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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