

1 **SENATE FLOOR VERSION**

2 February 12, 2018

3 **AS AMENDED**

4 SENATE BILL NO. 1094

5 By: Bergstrom

6 **[Oklahoma Health Care Authority - payment error**
7 **rates - effective date]**

8
9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

20 2. For the purposes of this section, "error rate" means errors
21 based on clearly defined objective documentation standards that are
22 readily available to providers. Training to meet the standards
23 shall be provided on at least an annual basis by the Oklahoma Health
24 Care Authority.

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

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

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

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

15 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
16 February 12, 2018 - DO PASS AS AMENDED

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