

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1591

By: David and Fields of the
Senate

6 and

7 Wallace and Casey of the
8 House

9
10 COMMITTEE SUBSTITUTE

11 An Act relating to Medicaid provider reimbursement;
12 providing for supplemental reimbursement for eligible
13 providers; specifying eligibility criteria; providing
14 reimbursement methodology; providing legislative
15 intent; providing source of nonfederal funding;
16 providing that participation in reimbursement program
17 is voluntary; setting forth requirements on
18 participating providers; directing Oklahoma Health
19 Care Authority to seek approval from and submit
20 claims and other materials to the federal government;
21 providing codification; and providing an effective
22 date.

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

24 SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 3242 of Title 63, unless there
is created a duplication in numbering, reads as follows:

A. An eligible provider, as described in subsection B of this
section, in addition to the rate of payment that the provider would

1 otherwise receive for Medicaid ground emergency medical
2 transportation services, shall receive supplemental Medicaid
3 reimbursement to the extent provided by law.

4 B. A provider shall be eligible for supplemental reimbursement
5 only if the provider meets the following conditions during the state
6 fiscal year:

7 1. Provides ground emergency medical transportation services to
8 Medicaid beneficiaries;

9 2. Is a provider that is enrolled as a Medicaid provider for
10 the period being claimed; and

11 3. Is owned or operated by the state, a political subdivision
12 or local government, that employs or contracts with persons who are
13 licensed to provide emergency medical services in the State of
14 Oklahoma, and includes private entities to the extent permissible
15 under federal law.

16 C. An eligible provider's supplemental reimbursement pursuant
17 to this section shall be calculated and paid as follows:

18 1. The supplemental reimbursement to an eligible provider, as
19 described in subsection B of this section, shall be equal to the
20 amount of federal financial participation received because of the
21 claims submitted pursuant to paragraph 3 of subsection F of this
22 section;

23 2. In no instance shall the amount certified pursuant to
24 paragraph 1 of subsection E of this section, when combined with the

1 amount received from all other sources of reimbursement from the
2 Medicaid program, exceed one hundred percent (100%) of actual costs,
3 as determined pursuant to the Medicaid state plan, for ground
4 emergency medical transportation services; and

5 3. The supplemental Medicaid reimbursement provided by this
6 section shall be distributed exclusively to eligible providers under
7 a payment methodology based on ground emergency medical
8 transportation services provided to Medicaid beneficiaries by
9 eligible providers on a per-transport basis or other federally
10 permissible basis. The Oklahoma Health Care Authority shall obtain
11 approval from the Centers for Medicare and Medicaid Services for the
12 payment methodology to be utilized, and shall not make any payment
13 pursuant to this section prior to obtaining that approval.

14 D. 1. It is the Legislature's intent in enacting this section
15 to provide the supplemental reimbursement described in this section
16 without any expenditure from the state General Revenue Fund. An
17 eligible provider, as a condition of receiving supplemental
18 reimbursement pursuant to this section, shall enter into, and
19 maintain, an agreement with the Authority for the purposes of
20 implementing this section and reimbursing the State for the costs of
21 administering this section.

22 2. The nonfederal share of the supplemental reimbursement
23 submitted to the federal Centers for Medicare and Medicaid Services
24 for purposes of claiming federal financial participation shall be

1 paid only with funds from the governmental entities described in
2 paragraph 3 of subsection B of this section and certified to the
3 state as provided in subsection E of this section.

4 E. Participation in the reimbursement program provided by this
5 section by an eligible provider as set forth in subsection B of this
6 section is voluntary. If an applicable governmental entity elects
7 to seek supplemental reimbursement pursuant to this section on
8 behalf of an eligible provider, the governmental entity shall do the
9 following:

10 1. Certify, in conformity with the requirements of 42 C.F.R. §
11 433.51, that the claimed expenditures for the ground emergency
12 medical transportation services are eligible for federal financial
13 participation;

14 2. Provide evidence supporting the certification as specified
15 by the Oklahoma Health Care Authority;

16 3. Submit data as specified by the Authority to determine the
17 appropriate amounts to claim as expenditures qualifying for federal
18 financial participation; and

19 4. Keep, maintain, and have readily retrievable any records
20 specified by the Authority to fully disclose reimbursement amounts
21 to which the eligible provider is entitled, and any other records
22 required by the Centers for Medicare and Medicaid Services.

23 F. 1. The Authority shall promptly seek any necessary federal
24 approvals for the implementation of this section. The Authority may

1 limit the program to those costs that are allowable expenditures
2 under Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq.
3 If federal approval is not obtained for implementation of this
4 section, this section shall not be implemented.

5 2. The Authority shall submit claims for federal financial
6 participation for the expenditures for the services delineated in
7 subsection E of this section that are allowable expenditures under
8 federal law.

9 3. The Authority shall submit any necessary materials to the
10 federal government to provide assurances that claims for federal
11 financial participation will include only those expenditures that
12 are allowable under federal law.

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

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