

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 605

By: McCortney

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5
6 AS INTRODUCED

7 An Act relating to Insure Oklahoma; directing the
8 Oklahoma Health Care Authority to establish the
9 Oklahoma Plan; describing the Plan; providing
10 eligibility criteria; directing the Authority to seek
11 certain federal approval; setting forth payment
12 structure and funding sources; directing the
13 Authority to enter into certain contracts; setting
14 forth certain requirements for qualified benefit
15 plans; assigning oversight of premium assistance
16 program to the Authority; providing for promulgation
17 of rules; providing for codification; and providing
18 an effective date.

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 1011.3A of Title 56, unless
22 there is created a duplication in numbering, reads as follows:

23 A. The Oklahoma Health Care Authority shall establish the
24 Oklahoma Plan within the Insure Oklahoma program. The Oklahoma Plan
25 shall be a health insurance premium assistance program administered
26 by the Authority which shall provide coverage through one or more
27 commercial health insurers to any person who meets the requirements
28 set forth in subsection B of this section and enrolls in the plan.

1 B. Any person shall be eligible whose household income does not
2 exceed one hundred thirty-eight percent (138%) of the federal
3 poverty level (FPL) guidelines, and who:

4 1. Meets the work requirement criteria for the Supplemental
5 Nutrition Assistance Program (SNAP) set forth in 7 U.S.C., Section
6 2015(o);

7 2. Qualifies for an exemption set forth in 7 U.S.C., Section
8 2015(o)(3)(A), (B), (D) or (E); or

9 3. Is otherwise exempt from a work requirement pursuant to
10 federal Medicaid laws or guidelines.

11 C. The Oklahoma Health Care Authority shall apply to the
12 Secretary of the United States Department of Health and Human
13 Services for any necessary federal approval to:

14 1. Allow the Authority to enter into a contract with one or
15 more commercial health insurers to provide coverage to persons who
16 enroll in the Oklahoma Plan established pursuant to subsection B of
17 this section;

18 2. Seek the enhanced Federal Medical Assistance Percentage
19 (FMAP) rate;

20 3. Seek the federal financial participation for administrative
21 expenses;

22 4. Allow a person who is determined eligible for advance
23 payments of the premium tax credit and cost-sharing reductions to
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1 use such credits and reductions to purchase coverage through the
2 Oklahoma Care Plan; and

3 5. Implement the additional provisions of this act.

4 D. 1. Upon receipt of federal approval referenced in
5 subsection C of this section, the Oklahoma Health Care Authority
6 shall utilize matching funds from the enhanced Federal Medical
7 Assistance Percentage (FMAP) rate for the premium assistance
8 program. The Authority may utilize funds from the federal financial
9 participation described in subsection C of this section for
10 administrative expenses associated with the Oklahoma Plan and the
11 state Medicaid program.

12 2. The enrollee shall be responsible for paying a limited
13 portion of premiums on a sliding scale, depending on income, in
14 amounts to be determined by the Authority.

15 3. The Authority may assess fees on hospitals and use fee
16 proceeds including, but not limited to, Supplemental Hospital Offset
17 Payment Program (SHOPP) proceeds to fund the program.

18 4. Third parties, including but not limited to employers, may
19 assist with payment of the enrollee's premiums.

20 E. 1. Upon receipt of federal approval referenced in
21 subsection C of this section, the Oklahoma Health Care Authority may
22 enter into a contract with one or more providers of insurance to
23 provide the coverage described in this subsection to persons who
24 enroll in the Oklahoma Care Plan.

1 2. Qualified benefit plans shall be responsible for ensuring
2 provider network adequacy, furnishing necessary care coordination
3 and care management services, providing customer service to members,
4 paying claims and monitoring quality.

5 3. Qualified benefit plans shall, at a minimum, cover all
6 services covered under Insure Oklahoma.

7 4. The Authority shall be responsible for the administration
8 and oversight of the premium assistance program.

9 F. The Oklahoma Health Care Authority Board shall, in
10 consultation with the Insurance Commissioner, adopt such rules as
11 are necessary to implement the provisions of this section.

12 SECTION 2. This act shall become effective November 1, 2019.

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