

1 **SENATE FLOOR VERSION**

2 February 27, 2017

3 SENATE BILL NO. 798

By: Standridge of the Senate

4 and

5 Kannady of the House

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7
8 An Act relating to the Oklahoma Health Care
9 Authority; amending 56 O.S. 2011, Section 1011.9,
10 which relates to payment error rates; deleting
11 certain requirement; and providing an effective date.

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

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

15 Section 1011.9. A. 1. The Oklahoma Health Care Authority
16 shall establish a method to deter abuse and reduce errors in
17 Medicaid billing, payment, and eligibility through the use of
18 technology and accountability measures for the Authority, providers,
19 and consumers. The Authority shall achieve a payment error rate
20 measurement of no greater than five percent (5%) by fiscal year
21 2009. The Oklahoma Health Care Authority shall evaluate and report
22 findings to the Governor and the Legislature.

23 2. For the purposes of this section, "error rate" means errors
24 based on clearly defined objective documentation standards that are

1 readily available to providers. Training to meet the standards
2 shall be provided on at least an annual basis by the Oklahoma Health
3 Care Authority.

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

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

14 C. The Oklahoma Health Care Authority shall evaluate and report
15 findings concerning the limited use of the extrapolation method to
16 the Governor and the Legislature.

17 SECTION 2. This act shall become effective November 1, 2017.

18 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
19 February 27, 2017 - DO PASS
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