ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE
BILL NO. 2932

By: Mulready and Bennett (John) of the House
and
Pugh of the Senate

An Act relating to poor persons; establishing
Medicaid work requirements; providing for exceptions;
requiring Oklahoma Health Care Authority to submit
certain plan amendment or waiver; establishing
certain requirements for Department of Human
Services; providing for the promulgation of rules;
providing for codification; and providing an
effective date.

AUTHOR: Add the following Senate Coauthor: Rosino

AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

"An Act relating to the state Medicaid program;
directing the Oklahoma Health Care Authority to seek
certain waiver authority; excluding specified program
criteria; providing contingency for approval;
establishing eligibility criteria; providing exemptions;
authorizing adoption of additional exemptions subject to approval; providing for
codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1011.15 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Health Care Authority (OHCA) shall seek Medicaid waiver authority to pursue modifications to Medicaid eligibility criteria so that receipt of SoonerCare coverage for certain Medicaid populations is conditional upon documentation of certain education, skills, training, work or job activities. Insure Oklahoma eligibility criteria is excluded from this requirement. This requirement is contingent upon approval from the federal Centers for Medicare and Medicaid Services and available state funding.

B. The SoonerCare eligibility modifications provided in subsection A of this section shall include criteria for work or job activities as required for the Supplemental Nutrition Assistance Program (SNAP) in 7 U.S.C., Section 2015(o). In order for an enrollee to remain eligible for SoonerCare, he or she shall comply with the work requirements for SNAP in 7 U.S.C., Section 2015(o). The SoonerCare eligibility criteria work requirements shall be the same as the eligibility criteria work requirements for SNAP in 7 U.S.C., Section 2015(o).

C. Exemptions to the eligibility criteria in this section shall be the same as the exemption criteria for SNAP in 7 U.S.C., Section 2015(o) or Medicaid populations excluded pursuant to federal
Medicaid laws and guidelines. Populations excluded from the requirements shall include those which are excluded by SNAP in 7 U.S.C., Section 2015(o) or federal Medicaid laws and guidelines. The state may adopt additional exemptions subject to agency rule-making and federal approval.

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

Passed the Senate the 18th day of April, 2018.

Passed the House of Representatives the ___ day of __________, 2018.
An Act relating to poor persons; establishing Medicaid work requirements; providing for exceptions; requiring Oklahoma Health Care Authority to submit certain plan amendment or waiver; establishing certain requirements for Department of Human Services; providing for the promulgation of rules; providing for codification; and providing an effective date.

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

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.74 of Title 56, unless there is created a duplication in numbering, reads as follows:

Subject to the other provisions of this act, no individual shall be eligible to participate in the Medicaid program unless that individual is:

1. Working twenty (20) hours or more per week, averaged monthly;
2. Participating in and complying with the requirements of a work program twenty (20) hours or more per week, as determined by the Oklahoma Health Care Authority;

3. Volunteering twenty (20) hours or more per week, as determined by the Oklahoma Health Care Authority;

4. Meeting any combination or working and participating in a work program for a total of twenty (20) hours or more per week, as determined by the Oklahoma Health Care Authority;

5. Participating and complying with the requirements of a workfare program; or

6. Exempt from the work requirement pursuant to Section 2 of this act.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.74.1 of Title 56, unless there is created a duplication in numbering, reads as follows:

The Medicaid work requirement as described in Section 1 of this act shall not apply to an individual if he or she is:

1. Under nineteen (19) years of age;

2. Over sixty-four (64) years of age;

3. Has a Social Security disability determination, with an IQ of 75 or below, or qualifies for Medicaid waiver services or State Plan Personal Care due to age, disability or medical condition;

4. Pregnant;
5. A parent or caretaker responsible for the care of a dependent child under one (1) year of age;

6. A parent or caretaker personally providing the care for a dependent child with serious medical conditions or with a disability as determined by the Oklahoma Health Care Authority;

7. Receiving unemployment compensation and complying with work requirements that are part of the Federal-State unemployment compensation system; or

8. Participating in a drug addiction or alcoholic treatment and rehabilitation program.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.74.2 of Title 56, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Health Care Authority shall submit any state plan amendment or waiver needed to implement the provisions of this act.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.74.3 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Department of Human Services shall not seek, apply for, accept or renew any waiver of requirements established under 7 U.S.C. Section 2015(o).

B. The Department of Human Services shall assign individuals subject to requirements established under 7 U.S.C. Section 2015(d)(1), but not subject to requirements established under 7
U.S.C. Section 2015(o), to participate in an employment and training program established under 7 U.S.C. Section 2015(d)(4).

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 230.74.4 of Title 56, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Health Care Authority and the Department of Human Services shall promulgate all rules and regulations necessary for the purposes of implementing the provisions of this act.

SECTION 8. This act shall become effective November 1, 2018.

Passed the House of Representatives the 6th day of March, 2018.

Presiding Officer of the House of Representatives

Passed the Senate the ___ day of ________, 2018.

Presiding Officer of the Senate