STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL NO. 605

By: McCortney

AS INTRODUCED

An Act relating to Insure Oklahoma; directing the Oklahoma Health Care Authority to establish the Oklahoma Plan; describing the Plan; providing eligibility criteria; directing the Authority to seek certain federal approval; setting forth payment structure and funding sources; directing the Authority to enter into certain contracts; setting forth certain requirements for qualified benefit plans; assigning oversight of premium assistance program to the Authority; providing for promulgation of rules; 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 1011.3A of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Health Care Authority shall establish the Oklahoma Plan within the Insure Oklahoma program. The Oklahoma Plan shall be a health insurance premium assistance program administered by the Authority which shall provide coverage through one or more commercial health insurers to any person who meets the requirements set forth in subsection B of this section and enrolls in the plan.
B. Any person shall be eligible whose household income does not exceed one hundred thirty-eight percent (138%) of the federal poverty level (FPL) guidelines, and who:

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

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

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

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

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

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

3. Seek the federal financial participation for administrative expenses;

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

5. Implement the additional provisions of this act.

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

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

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

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

E. 1. Upon receipt of federal approval referenced in
subsection C of this section, the Oklahoma Health Care Authority may
enter into a contract with one or more providers of insurance to
provide the coverage described in this subsection to persons who
enroll in the Oklahoma Care Plan.
2. Qualified benefit plans shall be responsible for ensuring provider network adequacy, furnishing necessary care coordination and care management services, providing customer service to members, paying claims and monitoring quality.

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

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

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

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