



STATE OF OKLAHOMA
OKLAHOMA HEALTH CARE AUTHORITY

I/T/U Public Notice 2011-01

January 12, 2011

RE: Oklahoma Health Care Authority (OHCA) Proposed Rule Changes for State Health Programs

Dear Tribal Representative:

The purpose of this letter is to give you notice of proposed rule changes that will be reviewed at the Medical Advisory Committee (MAC) meeting held on January 20, 2011. The OHCA is committed to active communication with Tribal Governments during the OHCA decision-making and priority-setting process and therefore keeps you apprised of all proposed rule changes.

Enclosed is a summary of the currently proposed rule changes for your review. The summary describes the purpose of each rule change and the anticipated impact on those affected. To view the complete proposal for the January 20 MAC, you can visit www.okhca.org/macagenda.

Please note that these are only proposed rule changes and have not yet taken effect. Before implementation, new rule changes must obtain budget authorization, federal approval (if applicable), OHCA Board approval, and the governor's approval.

Additionally, OHCA is now posting all proposed rule changes on the Agency's public website <http://www.okhca.org/providers.aspx?id=122>. The proposed rule changes page is designed to give all constituents and stakeholders an opportunity to review and make comments regarding upcoming rule changes. To ensure that you stay apprised of proposed rule changes, you may sign up for web alerts for the page and you will automatically be notified when any new rules are posted for comment.

OHCA values consultation with Tribal Governments and will provide your representatives a reasonable amount of time to respond to this notification. If you have any questions or comments about the proposed rule changes, please contact Trevlyn Cross, Director of SoonerCare Indian Health Unit. She can be reached at 405-522-7303 or via email at Trevlyn.Cross@okhca.org.

Sincerely,

A handwritten signature in black ink that reads "Garth L. Splinter, M.D.".

Garth L. Splinter, M.D.

State Medicaid Director

OHCA Initiated

10-61 DMEPOS Provider Requirements – Durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS) rules are revised to clarify OHCA's DMEPOS provider criteria. DMEPOS providers must meet Medicare accreditation standards unless the OHCA grants an exemption based on CMS exemptions, the provider is a government-owned entity, or at a provider's request. Revisions clarify that DMEPOS providers be located within the State of Oklahoma, unless the OHCA provides an exception to this requirement. Additionally, DMEPOS providers must comply with Medicare DMEPOS Supplier Standards as specified in 42 C.F.R. 424.57(c).

Budget Impact – Budget Neutral

10-66 Children's Nutrition Services - Current nutrition services policy is revised to correct references to previously revoked policy and provide clarification to current reimbursement practices and rules.

Budget Impact – Budget Neutral

Federally Initiated

10-56 Native American Cost-Sharing - OHCA cost-sharing rules are revised to comply with Federal law on Native American cost-sharing exemptions. Native Americans are now exempt from SoonerCare co-pays or premiums when they receive services provided by I/T/U providers or through referral by contract health services.

Budget Impact – Total impact of \$876,206; State Share of \$205,402

10-63 Puerto Rican Birth Certificates - Per CMS guidance and Puerto Rican law, eligibility rules are revised so that only new certified birth certificates will be accepted as verification of citizenship for Puerto Ricans who are using their birth certificate as proof of citizenship and whose eligibility for benefits will be determined for the first time on or after October 1, 2010. This rule change does not prohibit Puerto Ricans from using other forms of citizenship verification; it only applies to the use of birth certificates. When the applicant has not yet received his or her new certified birth certificate, reasonable opportunity to obtain citizenship verification will be afforded to the applicant.

Budget Impact – Budget Neutral

10-65 Individual Indian Money Accounts (IIM) - Policy is changed to clarify OHCA's treatment of Individual Indian Money (IIM) Accounts as a converted resource. Funds and property held in IIM Accounts will no longer be used in an eligibility test. References to per capita payments are removed and the period in which money disbursed from IIM accounts can be counted as a resource is revised.

Budget Impact – Budget Neutral