

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 2299

 By: Roberts (Dustin)

7 AS INTRODUCED

8 An Act relating to health care; creating the Oklahoma
9 Medical Education Protection Act; defining terms;
10 requiring certain contracted entities to preserve and
11 protect reimbursement programs for care of Medicaid
12 patients at a certain level; prohibiting certain
13 contracted entities from taking actions that reduce
14 the number of Medicaid patients cared for by certain
15 entities; providing for contract termination in
16 certain circumstances; providing for reimbursement in
17 certain cases of contract termination; providing for
18 codification; and declaring an emergency.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 3229 of Title 63, unless there
19 is created a duplication in numbering, reads as follows:

20 This act shall be known and may be cited as the "Oklahoma
21 Medical Education Protection Act".

22 SECTION 2. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 3230 of Title 63, unless there
24 is created a duplication in numbering, reads as follows:

1 As used in the Oklahoma Medical Education Protection Act:

2 1. "Contracted entity" means any entity entering into a
3 contract with the state or one of its constituent agencies for the
4 management of Medicaid patients under a managed care contract;

5 2. "Enhanced reimbursement payment program" means any program
6 directly or indirectly funded by or through the state or any of its
7 agencies, including but not limited to the Oklahoma Health Care
8 Authority, or any agency or department of the federal government,
9 including but not limited to the Centers for Medicare and Medicaid
10 Services (CMS), for the treatment of Medicaid patients by the health
11 care professionals or health care workers affiliated with Oklahoma
12 State University Center for Health Sciences or the University of
13 Oklahoma Health Sciences Center;

14 3. "Medical Education" means any training program operated by
15 the Oklahoma State University Center for Health Sciences or the
16 University of Oklahoma Health Sciences Center for the training of
17 health care professionals or health care workers;

18 4. "Supplemental Payment Program" means any program directly or
19 indirectly funded by or through the state or any of its agencies,
20 including but not limited to the Oklahoma Health Care Authority, or
21 any agency or department of the federal government, including but
22 not limited to the Centers for Medicare and Medicaid Services (CMS),
23 for the training of health care professionals or health care
24 workers; and

1 5. "Teaching hospital", "affiliated hospital", or "hospital
2 partner" means any hospital utilized by the Oklahoma State
3 University Center for Health Sciences or the University of Oklahoma
4 Health Sciences Center for the training of health care professionals
5 or health care workers.

6 SECTION 3. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 3231 of Title 63, unless there
8 is created a duplication in numbering, reads as follows:

9 A. When entering into contractual arrangements with any entity
10 for the management of Medicaid patients, the state or any agency
11 thereof, the Oklahoma Health Care Authority, or any subsequent state
12 entity with the authority to reimburse providers for the treatment
13 of Medicaid patients shall preserve and protect the supplemental
14 payment programs payable to the Oklahoma State University Center for
15 Health Sciences or the University of Oklahoma Health Sciences
16 Center, their teaching hospitals, affiliated hospitals, and hospital
17 partners. Such preservation and protection shall be prescribed at
18 the level of reimbursement to be no lower than the highest annual
19 aggregate payment within the three (3) years prior to the effective
20 date of this act.

21 B. When entering into contractual arrangements with any entity
22 for the management of Medicaid patients, the state or any agency
23 thereof, the Oklahoma Health Care Authority, or any subsequent state
24 entity with the authority to reimburse providers for the treatment

1 of Medicaid patients shall preserve and protect the enhanced
2 reimbursement payment programs payable to the Oklahoma State
3 University Center for Health Sciences or the University of Oklahoma
4 Health Sciences Center, their teaching hospitals, affiliated
5 hospitals, and hospital partners. Such preservation and protection
6 shall be prescribed at the level of reimbursement to be no lower
7 than the highest annual aggregate payment within the three (3) years
8 prior to the effective date of this act.

9 SECTION 4. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 3232 of Title 63, unless there
11 is created a duplication in numbering, reads as follows:

12 A. When entering into contractual arrangements with any entity
13 for the management of Medicaid patients, the state or any agency
14 thereof, the Oklahoma Health Care Authority, or any subsequent state
15 entity with the authority to reimburse providers for the treatment
16 of Medicaid patients shall preclude the contracted entity from
17 taking any action that would directly or indirectly reduce the
18 number of Medicaid patients treated by the Oklahoma State University
19 Center for Health Sciences or the University of Oklahoma Health
20 Sciences Center, their teaching hospitals, affiliated hospitals, or
21 hospital partners.

22 B. Any action taken by any entity under contract with the state
23 or any agency thereof to manage Medicaid patients that directly or
24 indirectly reduces the number of Medicaid patients treated by the

1 Oklahoma State University Center for Health Sciences or the
2 University of Oklahoma Health Sciences Center, their teaching
3 hospitals, affiliated hospitals, or hospital partners shall
4 constitute cause for termination of the managed care contract.

5 C. Any contract entered into by the state or any agencies
6 thereof for the management of Medicaid patients shall provide for
7 the reimbursement by the contracted entity for any lost or decreased
8 revenues experienced by the Oklahoma State University Center for
9 Health Sciences or the University of Oklahoma Health Sciences
10 Center, their teaching hospitals, affiliated hospitals, or hospital
11 partners as a result of termination pursuant to subsection B of this
12 section.

13 SECTION 5. It being immediately necessary for the preservation
14 of the public peace, health or safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

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18 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/23/2021 - DO PASS.
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