

## Oklahoma Health Care Authority

The Oklahoma Health Care Authority (OHCA) values your feedback and input. It is very important that you provide your comments regarding the proposed rule change by the comment due date. Comments can be submitted on the OHCA's [Proposed Changes Blog](#).

**OHCA COMMENT DUE DATE:** January 18, 2022

The proposed policy changes are currently in effect as Emergency Rules and must be promulgated as Permanent Rules. The proposed policy was presented at the July 6, 2021 Tribal Consultation. Additionally, this proposal was presented to the Medical Advisory Committee on July 8, 2021. Furthermore, this proposal will be presented at a Public Hearing scheduled for January 18, 2022. Finally, the proposed changes are scheduled to be presented as permanent rules to the OHCA Board of Directors on March 16, 2022.

**Reference: APA WF 21-14**

**SUMMARY: Expansion Adults into SoonerCare Choice** — The proposed revisions will add expansion adults, as per 42 C.F.R. 435.119, as a group eligible to receive services through the patient centered medical home (PCMH) service delivery model.

### **LEGAL AUTHORITY:**

The Oklahoma Health Care Authority Act, Section 5007 (C)(2) of Title 63 of Oklahoma Statutes; The Oklahoma Health Care Authority Board; 1115 Waiver; and 42 C.F.R. Section 435.119

### **RULE IMPACT STATEMENT:**

#### **STATE OF OKLAHOMA OKLAHOMA HEALTH CARE AUTHORITY**

**SUBJECT:** Rule Impact Statement  
APA WF #21-14

**A. Brief description of the purpose of the rule:**

The proposed revisions will add the newly eligible adults, individuals who are nineteen (19) or older and under age sixty-five (65) who meet eligibility criteria set by 42 Code of Federal Regulations Section 435.119, as a covered group under the existing 1115 waiver in order to allow services to be provided by the patient centered medical home (PCMH) service delivery model. **The aforementioned proposed rules were promulgated through the Emergency Rule process.**

**B. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the cost of the proposed rule, and any information on cost impacts received by the agency from any private or public entities:**

The classes of persons that will be affected by these proposed rule changes are the SoonerCare Choice providers and the members who meet the newly eligible adult group criteria. These rule changes should not place any cost or burden on private or public entities. No information on any cost impacts were received from any entity.

- C. A description of the classes of persons who will benefit from the proposed rule:

The proposed rule changes will benefit SoonerCare Choice members in the newly eligible adult group as the PCMH service delivery model incorporates a managed care component. Each member will have the benefit of being assigned to a primary care provider who will serve as their medical home. The SoonerCare Choice providers will benefit by receiving a prepaid fixed monthly capitated payment for care coordination.

- D. A description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change:

There is no probable impact of the proposed rule changes upon any classes of persons or political subdivisions.

- E. The probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency:

The proposed permanent rule change will not result in any additional costs to the OHCA. Budget allocation to add the expansion adults eligibility group to the patient centered medical home (PCMH) service delivery model, was approved during promulgation of the emergency rule in September 2021.

The budget impact for the previously approved emergency rule is as follows: The proposed changes would potentially result in a combined federal and state spending of \$8,829,743 total, with \$882,974 in state share for State Fiscal Year (SFY) 2022.

- F. A determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:

The proposed rule changes will not have an economic impact on any political subdivision or require their cooperation in implementing or enforcing the rule changes.

- G. A determination of whether implementation of the proposed rule will have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:

The agency does not anticipate that the proposed rule changes will have an adverse effect on small businesses.

- H. An explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rule:

The agency has taken measures to determine that there are no other legal methods to achieve the purpose of the proposed rule. Measures included a formal public comment period and tribal consultation.

- I. A determination of the effect of the proposed rule on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety, and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:

The proposed rule changes are not designed to reduce any significant risks to the public health, safety, and environment.

- J. A determination of any detrimental effect on the public health, safety, and environment if the proposed rule is not implemented:

The agency anticipates that in the absence of these rule changes, there would not be any detrimental effect on the public health, safety, and environment, however, the agency would be out of compliance with federal regulations.

- K. The date the rule impact statement was prepared and if modified, the date modified:

Prepared: November 12, 2021

**RULE TEXT:**

**TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY  
CHAPTER 25. SOONERCARE CHOICE**

**SUBCHAPTER 7. SOONERCARE**

**PART 3. ENROLLMENT CRITERIA**

**317:25-7-12. Enrollment/eligibility requirements**

(a) Eligible SoonerCare members mandatorily enrolled in SoonerCare Choice include persons categorically related to AFDC, ~~Pregnancy-related services and Aged, Blind or Disabled;~~ pregnancy-related services; expansion adult; and aged, blind or disabled who are not dually-eligible for SoonerCare and Medicare.

(b) Children in foster care may voluntarily enroll into SoonerCare Choice.