

OKLAHOMA HEALTH CARE AUTHORITY
REGULARLY SCHEDULED BOARD MEETING
October 8, 2009
Oklahoma Health Care Authority
4545 N. Lincoln Blvd., Suite 124
Oklahoma City, OK
1:00 PM
A G E N D A

Item to be presented by Lyle Roggow, Vice Chairman

1. Call To Order/Determination of quorum - Lyle Roggow, Vice Chairman

Items to be presented by Lyle Roggow, Vice Chairman

2. Action Item -Election of Oklahoma Health Care Authority 2009-2010 Board Officers due to resignation of Chairman
3. Action Item - Approval of August 26, 2009 Board Minutes

Item to be presented by Mike Fogarty, Chief Executive Officer

4. Discussion Item - Presentation of All Star Employees for the following months:

June. 2009 - Lindsay Bateman, Administration
July. 2009 - Jason Ince, Finance
Presentation of First Shooting Star Supervisor of the Quarter
Cheryl Moore - Care Management

Item to be presented by Mike Fogarty, Chief Executive Officer

5. Discussion Item - Chief Executive Officer's Report
 - a) Financial Update - Carrie Evans
 - b) Medicaid Director's Update - Lynn Mitchell, M.D.

Item to be presented by Juarez McCann, Chief Budget Officer

6. Discussion Item - Presentation of the State Fiscal Year 2011 Budget Request

Item to be presented by Vice Chairman Roggow

7. Discussion Item - Reports to the Board by Board Committees
 - Audit/Finance Committee - Member Miller
 - Rules Committee - Member Armstrong

Item to be presented by Nancy Nesser, PharmD. JD, Pharmacy Director

8. Action Item - Consideration and Vote Regarding Recommendations Made by the Drug Utilization Review Board Under 63 Oklahoma Statutes §5030.3.
 - a) Recommendation Regarding Conflicts of Interest Panel Concerning Recommendations of the Drug Utilization Review Board, Howard Pallotta, General Counsel
 - b) Consideration and vote to add Migraine Treatment Products to the product-based prior authorization program under Oklahoma Administrative Code 317: 30-5-77.3.

Item to be presented by Cindy Roberts, Director of Program Integrity and Planning

9. Action Item - Consideration and Vote of recommended rulemaking pursuant to Article I of the Administrative Procedures Act
 - a) Recommendation regarding Conflicts of Interest Panel regarding rules - Howard Pallotta, Director of Legal Services
 - b) Recommendation of promulgation of Declaration of Emergency for Rules A through H as listed on rules agenda
 - c) Recommendation of promulgation Rule Changes for Rules A through H as listed on rules agenda

Item to be presented by Vice Chairman Roggow

10. Discussion Item - Proposed Executive Session as Recommended by the Director of Legal Services and Authorized by the Open Meetings Act, 25 Okla. Stat. §307(B)(1),(4)&(7)

Status of Pending Suits and Claims

- | | |
|------------------------------------|--|
| 1. Woodlawn Manor v. OHCA | CJ-04-8834 (Oklahoma) |
| 2. Lepley v. OHCA | CJ-07-9448 (Oklahoma) |
| 3. Price v. Wolford | 09-6139 (Tenth Circuit) |
| 4. Stopp v. OHCA | 09-CV-433 GKF/FHM
(Northern District of Oklahoma) |
| 5. Webb v. OHCA | 09-CV-438 TCK/PJC
(Northern District of Oklahoma) |
| 6. Woodlawn v. OHCA | 107,408 (S.Ct.) |
| 7. Choices Institute, Inc. v. OHCA | 107,533 (S.Ct.) |

11. New Business

12. Adjournment

**Next Board Meeting
November 12, 2009
Oklahoma Health Care Authority**

Rules Agenda
October 8, 2009

I. Items subject to the Administrative Procedures Act (Emergency)

- A. Revising rules to provide clarification and consistency with practices for coverage for certain nutritional formulas and bars for children diagnosed with certain metabolic disorders.
(Reference APA WF # 09-10)

- B. Revising rules to clarify SoonerCare member responsibilities regarding the reporting of third party liability, utilization of private insurance and notification to medical providers of SoonerCare coverage. Additionally, the rule revision provides notification to members of their agreement to allow sharing of medical information, if needed, to State or Federal agencies, medical providers, or an OHCA designee upon their acceptance of medical services provided through the SoonerCare program.
(Reference APA WF # 09-19)

- C. Revising rules to be consistent with reimbursement practices and make coverage rules more consistent throughout policy. Revisions include allowing separate payment for the insertion and/or implantation of contraceptive devices during a physician office visit, the removal of physician supervision of hemodialysis or peritoneal dialysis as a general coverage exclusion for both adults and children, the clarification of intent in regards to general coverage and general coverage exclusions for both adults and children, the removal of follow-up consultations, the removal of tympanometry as a general coverage exclusion for children, the clarification of covered critical care guidelines, and general policy cleanup as it relates to these sections.
(Reference APA WF # 09-28)

- D. Revising DME rules to clarify the intent of wheelchair coverage for members residing in a long term care facility or ICF/MR and the elimination of the OHCA Certificate of Medical Necessity (CMN) as a document requirement for requesting prior authorization or determining medical necessity for wheelchairs.
(Reference APA WF # 09-32)

- E. Revising rules to remove policy regarding certain federal civil rights requirements, to correct references to federal laws and state statutes, amend policy on open records requirements and include the process for ensuring proper review and approval/ disapproval of rate methodologies by the State Plan Amendment Rate Committee (SPARC).
(Reference APA WF # 09-37)

- F. Revising Outpatient Behavioral Health rules to allow family inclusion during Behavioral Health Rehabilitation Services.
(Reference APA WF # 09-39)

- G. Revising rules regarding Case Management services furnished under the ADvantage Home and Community Based Services Waiver at the request of the Oklahoma Department of Human Services/Aging Services Division. Revisions would increase the current time frame allowed for case managers to complete and submit an individualized care plan and service plan for the member from ten to fourteen days. Additional revisions outline a schedule for the annual service plan reassessment and procedures for submission of materials to the ADvantage Administration.
(Reference APA WF # 09-45)

- H. Revising Personal Care rules regarding who could be paid to serve as a Personal Care Assistant (PCA) to SoonerCare members approved for State Plan Personal Care services.
(Reference APA WF # 09-50)