

OKLAHOMA HEALTH CARE AUTHORITY  
BOARD MEETING  
May 8, 2008 at 1:30 pm  
Oklahoma Health Care Authority  
4545 N. Lincoln Blvd, Suite 124  
Oklahoma City, OK

AGENDA

**Items to be presented by Chairman Roggow**

1. Call To Order/Determination of quorum - Lyle Roggow, Chairman
2. Action Item - Approval of April 10, 2008 Board Minutes
3. Discussion Item - Chief Executive Officer's Report
  - a) Financial Update - Anne Garcia
  - b) Medicaid Director's Update/Insure Oklahoma/OEPIC Update - Becky Pasternik-Ikard
  - c) Legislative Update - Nico Gomez
4. Presentation on Focus on Excellence, Ivoria Holt, Director of Long Term Care Quality Initiatives

**Item to be presented by Chairman Roggow**

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

**Item to be presented by Nancy Nesser, J.D., D.Ph., Pharmacy Director**

6. 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
  - b) Consideration and Vote to add the therapeutic category of Narcotic Analgesics to the Product Based Prior Authorization Program under 63 Oklahoma Statutes 5030.5.

**Items to be presented by JoAnne Terlizzi, Director of Health Policy**

7. Recommendation Regarding Conflicts of Interest Panel Regarding Rules - Howard Pallotta, Director of Legal Services
  - A) Action Item - Consideration and Vote upon Declaration of Emergency for Rules A, B, and C (see rules agenda)
  - B) Action Item - Consideration and Vote Upon Declaration of Substantive Rule Changes for Rules A, B, and C (see rules agenda)

**Item to be presented by Beth VanHorn, Director of Legal Operations**

8. Recommendation Regarding Conflicts of Interest Panel Regarding Contracts, Howard Pallotta, Director of Legal Services
- a) Consideration and Vote to authorize expenditure of funds to provide consultant services for the MMIS reprocurment

**Item to be presented by Chairman Roggow**

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

**(A) Report on Status of Pending Suits and Claims**

Fogarty, et al. v Evans, et al.	Sup. Ct. 07-980
Evans et al v. Fogarty, et al.	CIV-01-0252
	CIV-01-0557-HE
Woodlawn Manor v. OHCA	Sup.Ct.104353
Medlin v. OHCA	CJ-2006-03624
Lemmings v. OHCA	CJ-2006-1193
OFMQ v. DCS & OHCA	Sup.Ct. 104741
Pharmcare v. OHCA	Sup. Ct.100429
Morehead v. State of Okla.	CJ-07-1110-L
Sean Boone, D.O. v. OHCA	CJ-2007-4468
New Directions Life Center, an Oklahoma Corp; and Dr. David Linden, an Individual v. OHCA	Case NO. 05-9229
AHS Tulsa Regional Medical Center v. Fogarty	CV-07-338
Children Dental Clinic of OKC, et al. v. OHCA, et al.	CJ-2007-11145
Brian K. Lepley, D.O. v. OHCA	CJ-2007-9448
CNA Pro 2000 v. OHCA	Sup.Ct. 103254
Zelle vs. DHS and OHCA	CJ-2008-8
Schnoebelen vs. OHCA	CJ-2008-7
APMC, Inc. v. Fogarty, et al.	CV-08-249
Cole & Russell v. State of OK, et al.	CJ-07-25
State of Maine Dept. of Health & Human Services, et al. v. U.S. Dept. of Health & Human Services, et al.	08-CB-363
Redinger v. State of OK, et al.	CV-07-46

- (B) Consideration of Settlement of Evans v. Fogarty cases:**  
CIV-01-0252, CIV-01-0557HE

**Item to be presented by Howard Pallotta, Director of Legal Services**

10. Consideration and Vote to Settle Evans et al. v. Fogarty et al. CIV-01-0252, CIV-01-0557HE case

**Item to be presented by Chairman Roggow**

11. New Business
12. Adjournment

**Rules Agenda**

May 8, 2008

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

- A. Revising Program of All-Inclusive Care for the Elderly (PACE) rules to allow for the involuntary disenrollment of a participant in the program based on the threatening or disruptive behavior or actions of the participant's family or caregiver as well as for failure of the participant's caregiver or guardian to pay or make satisfactory arrangements to pay, any premium due the PACE organization. **(Reference APA WF # 08-01)**
  
- B. Revising inpatient psychiatric hospital rules to allow for review of individual plans of care for children in an inpatient setting at least every 7 calendar days but no less than every 9 calendar days in acute care situations and every 14 calendar days but no less than every 16 calendar days in the longer term treatment program or specialty psychiatric residential treatment facility. **(Reference APA WF # 08-09)**
  
- C. Revising outpatient behavioral health rules to remove the language referring to the reimbursement methodology for Program of Assertive Community Treatment (PACT) services. **(Reference APA WF # 08-08)**

**DATE OF NEXT MEETING**

June 12, 2008 at 1:00PM  
Oklahoma Health Care Authority  
Oklahoma City, OK