

OKLAHOMA HEALTH CARE AUTHORITY  
BOARD MEETING  
December 11, 2008  
University of Oklahoma, Tulsa Campus  
Schusterman Center  
Faculty Staff Lounge  
4502 E. 41st  
Tulsa, OK

**AGENDA**

**Items to be presented by Chairman McFall**

1. Call To Order/Determination of quorum Chairman Ed McFall
2. Approval of November 13, 2008 Board Minutes

**Items to be presented by Mike Fogarty, Chief Executive Officer**

3. Discussion Item - Chief Executive Officer's Report
  - a) Financial Update - Anne Garcia
  - b) Medicaid Director's Update/Update on National Association State Medicaid Director's Fall Meeting/Update Regarding Implementation of the Medical Home Program  
Lynn Mitchell, M.D.
  - c) Presentation of State Fiscal Year 2008 Annual Report/  
Employee Newsletter - Nico Gomez

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

4. Discussion Item - Insure Oklahoma Employer/Employee Partnership Insurance Coverage Evaluation Report presented by Mark Podrazik and Anne Winter of Burns and Associates

**Item to be presented by Chairman McFall**

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

**Items to be presented by Nancy Nesser, 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 categories of osteoporosis medications, topical antibiotics, and short acting beta agonist inhalers to the Product Based Prior Authorization Program under 63 Oklahoma Statutes §5030.5.
  - c) Consideration and Vote to add Singulair® to the Scope/Utilization-based prior authorization program under OAC 317: 30-5-77.2 (e).

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

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 Rules A-H as listed on Rules Agenda
  - b) Action Item - Consideration and Vote Upon Declaration of Substantive Rules A-H as listed on Rules Agenda

**Items to be presented by Cindy Roberts, Chairperson of Rates and Standards Committee**

8. Recommendation Regarding Conflicts of Interest Panel Concerning Recommendations of the Rates and Standards Committee Howard Pallotta, Director of Legal Services
  - a) Consideration and Vote of Care Coordination Fees to be paid to providers contracting for Medical Home SoonerCare Contracts
  - b) Consideration and Vote of Tier I, Tier II, and Tier III payments to be made to providers contracting for Medical Home SoonerCare Choice Contracts

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

9. Recommendation Regarding Conflicts of Interest Panel Regarding Contracts, Howard Pallotta, Director of Legal Services
  - a) Consideration and Vote to authorize expenditure of funds for amendment to Oklahoma Health Care Authority with the Electronic Data Services contract for Insure Oklahoma

**Item to be presented by Chairman McFall**

10. 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)

Status of Pending Suits and Claims

- |  |               |
|--|---------------|
| 1. Woodlawn Manor v. OHCA                | CJ-04-8834    |
| 2. Acosta v. OHCA                        | CJ-07-9264    |
| 3. APMC, Inc. v. Fogarty, et al.         | CJ-08-249     |
| 4. Sean Boone v. OHCA                    | CJ-07-4468    |
| 5. Moss. V. Wittmer, et al. (Sup Crt)    | SC104,607     |
| 6. Staudt v. OHCA                        | CJ-2008-9540  |
| 7. Lightning Creek Invest.v. DHS, et al. | CJ-2008-105   |
| 8. McClellan v. OHCA                     | CIV-08-1133-F |

11. Action Item - Consideration and Vote upon board meeting dates, times, and places for the Oklahoma Health Care Authority for calendar year 2009.
12. New Business

13. Adjournment

**Rules Agenda**

December 11, 2008

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

- A. Revising SoonerCare eligibility rules to allow time-limited coverage for Iraqis and Afghans with special immigrant status pursuant to Public Law 110-161 and 110-181. **(Reference APA WF # 08-44)**
- B. Revising ADvantage Waiver Services rules to add private duty nursing as a compensable service under the waiver program. **(Reference APA WF # 08-45)**
- C. Revising Outpatient Hospital and Free-Standing Ambulatory Surgery Center rules to reflect upcoming changes to the reimbursement methodology for outpatient surgery services. **(Reference APA WF # 08-47)**
- D. Revising Personal Care rules to transfer the service authorization and monitoring of service provisions from the Oklahoma Department of Human Service nurses to nurses that are employed by the agencies who provide Personal Care Services. **(Reference APA WF # 08- 22)**
- E. Revising Personal Care rules to require the use of the new Interactive Voice Response Authentication (IVRA) time and attendance system for providers of personal care services. **(Reference APA WF # 08-29)**
- F. Revising Non-Emergency Transportation rules to remove specific reimbursement language from policy and refer to the state plan. **(Reference APA WF # 08-49)**
- G. Revising SoonerCare dental rules to: (1) allow prior authorization for a second set of panoramic films taken within three years of the first set; (2) allow prior authorization for a second provider to correct poorly rendered restorative procedures by the original provider of services; and (3) restrict the application of ceramic based and cast metal crowns to natural teeth only. **(Reference APA WF # 08-41)**
- H. Revising Grievance Procedures and Process rules to reflect current practice for provider appeals. **(Reference APA WF # 08-40)**