



J. Kevin Stitt  
Office of the Governor  
State of Oklahoma

**EXECUTIVE DEPARTMENT  
EXECUTIVE ORDER 2025-16**

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WHEREAS, the State of Oklahoma has long maintained a compelling interest in promoting a culture of life and ensuring that public taxpayer dollars do not directly or indirectly support abortion or abortion-affiliated providers;

WHEREAS the Oklahoma Legislature has prohibited health plans offered within the State from including coverage of elective abortions, *see* 63 O.S. § 1-741.3;

WHEREAS, the Oklahoma Health Care Authority (“OHCA”) administers the SoonerCare program, Oklahoma’s Medicaid program, which is jointly funded by the state and federal governments;

WHEREAS, OHCA has the authority and obligation to determine the qualifications of providers seeking participation in the SoonerCare program, and may exclude those who do not meet applicable standards, including standards consistent with state public policy;

WHEREAS, on June 26, 2025, the United States Supreme Court in *Medina v. Planned Parenthood South Atlantic*, 606 U.S. \_\_\_\_ (2025), reaffirmed the principle that states retain primary authority to determine the qualifications of Medicaid providers and are not subject to private rights of action under 42 U.S.C. § 1983 for excluding abortion-affiliated providers under state-defined criteria; and

WHEREAS, Oklahoma already prohibits the use of Medicaid funds for abortion services except as required by federal law, and has excluded abortion providers from its Medicaid program in keeping with that policy; however, abortion providers may still be subsidized by State or local funds intended for other women’s health and family planning services.

NOW, THEREFORE, I, J. KEVIN STITT, Governor of the State of Oklahoma, by the authority vested in me by the Oklahoma Constitution and the laws of this state, do hereby direct the following:

1. All State agencies shall immediately cease providing State or local funds, whether through grant, contract, state-administered federal funds, or any other form, to any individual or entity directly affiliated with a physician, medical practice, or other organization providing abortion services or facilitating the procurement of abortion services.

2. OHCA shall initiate a comprehensive review and revision of its provider credentialing standards to ensure that only providers who are fully aligned with Oklahoma's public policy objectives, including the protection of unborn life, are eligible to participate in the SoonerCare program.
3. OHCA is hereby directed to immediately terminate or decline to renew any contract, memorandum, or agreement, with or without cause, with any SoonerCare provider or entity that, in OHCA's sole discretion, is not fully aligned with Oklahoma's public policy objectives.
4. OHCA shall update its credentialing and contracting procedures to exclude from new or renewed participation in the SoonerCare program any provider or entity that:
  - a) Performs, refers for, or is affiliated with the performance of abortions not permitted under state law; or
  - b) Is under common ownership or control with an entity engaged in abortion-related activities inconsistent with state law.
5. OHCA shall require, as a condition of participation in the SoonerCare program, that all providers submit a signed attestation disclosing whether they or any related entities engage in abortion-related activities.
6. OHCA shall adopt appropriate procedures to verify compliance with these requirements and is authorized to take any necessary enforcement actions, including non-renewal, denial, exclusion or termination from the SoonerCare program, for any provider found to be in violation of the provisions of this Executive Order.
7. OHCA shall issue proposed rule changes, as necessary, and provider communications within sixty (60) days of this Order and shall complete implementation of the revised standards within one hundred twenty (120) days.
8. OHCA shall provide a written report to the Office of the Governor within one hundred fifty (150) days detailing its actions taken under this Order, including any rule changes, number of providers affected, and compliance measures adopted.

#### **General Provisions**

9. If any provision of this Executive Order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this Executive Order and the applicability of its other provisions to any other persons or circumstances shall not be affected thereby.
10. For purposes of this Executive Order, the term "abortion" shall carry the same definition provided in 63 O.S. § 1-730.

This Executive Order shall be distributed to the Chief Executive Officer of the Oklahoma Health Care Authority, all cabinet secretaries and chief advisors, and all agency heads.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 31<sup>st</sup> day of July, 2025.

**BY THE GOVERNOR OF THE STATE OF OKLAHOMA**

A handwritten signature in black ink, appearing to read "K Stitt", is written above a horizontal line.

J. Kevin Stitt

ATTEST:

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Josh Cockroft, SECRETARY OF STATE