

**Rule Impact Statement (2025)****A. Purpose of the proposed rule and legal authority (75 OS § 253(B)(2)(b)(1), 75 OS 303(D)(2)(a))**

The policy revisions reflect a change in operating agency for Medically Fragile Programs from OHCA to OKDHS as well as minor technical corrections to language.

Legal authority: The Oklahoma Health Care Authority Act, Section 5007 (C)(2) of Title 63 of Oklahoma Statutes; the Oklahoma Health Care Authority Board; Section 5013.2 of Title 63 of Oklahoma Statutes.

**B. Brief description of the proposed rule (75 OS 253(B)(2)(b)(3))**

The policy revisions reflect a change in operating agency for Medically Fragile Programs from OHCA to OKDHS as well as minor technical corrections to language.

**C. Classification of proposed rule (75 OS 253(B)(2)(b)(2))**

**Classification:**  Nonmajor

**Justification:** (Include estimate of total implementation and compliance costs over 5 years and basis for estimate. If  $\geq \$1,000,000$   $\rightarrow$  classified as major.)

Total implementation and compliance costs for 5 years is estimated to be budget neutral.

**Total annual implementation and compliance costs:**

Total annual costs are estimated to be budget neutral.

**Methodology used to calculate costs (75 OS 253(B)(2)(b)(7)):**

As total annual costs are estimated to be budget neutral, no methodology for cost calculation was used.

**D. Description of affected classes of persons most likely to be impacted by the proposed rule**

(75 OS 253(B)(2)(b)(4), 75 OS 303(D)(2)(b))

The proposed rule changes are most likely to impact OKDHS as the change in agency will result in the agency bearing more responsibility.

**E. Description of classes who will benefit from the proposed rule (75 OS 253(B)(2)(b)(5), 75 OS 303(D)(2)(c))**

The proposed rule changes are likely to benefit OHCA and providers as this revision clarifies what OKDHS is responsible for.

**F. Comprehensive economic impact analysis (75 OS 253(B)(2)(b)(6), 75 OS 303(D)(2)(d))****Methodology used to calculate costs (75 OS 253(B)(2)(b)(7)):**

A comprehensive economic impact analysis and associated cost methodology were not utilized as the proposed rule is estimated to be budget neutral.

**G. Probable costs and benefits to OHCA and other agencies (75 OS 253(B)(2)(b)(6), 75 OS 303(D)(2)(e))**

The total cost for SFY 2026 and 2027 is estimated to be budget neutral. There are no anticipated implementation costs to OHCA or other agencies.

**H. Economic impact on political subdivisions and whether their cooperation is required (75 OS 253(B)(2)(b)(8), 75 OS 303(D)(2)(f))**

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.

**I. Economic impact on small businesses (75 OS 253(B)(2)(b)(9), 75 OS 303 (D)(2)(g))**

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

**J. Measures taken to minimize compliance costs and assessment of less costly, less intrusive, or nonregulatory alternatives (75 OS 253(B)(2)(b)(10), 75 OS 303(D)(2)(h))**

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.

**K. Effect of the rule on public health, safety, and the environment (75 OS 253(B)(2)(b)(11), 75 OS 303(D)(2)(i))**

The proposed rule is not expected to affect public health, safety, or the environment as it pertains to minor language corrections and a change in agency from OHCA to OKDHS.

**L. Detrimental effects if the proposed rule is not implemented (75 OS 253(B)(2)(b)(12), 75 OS 303(D)(2)(j))**

If the proposed rule is not implemented, the rules will not reflect minor language corrections and a change in agency from OHCA to OKDHS. This will result in members, providers, agencies etc. having to rely on out-of-date information.

**M. Summary of and preliminary comparison to existing or proposed federal regulations (75 OS 303(D)(2)(n))**

The proposed rule aligns with, but does not duplicate, federal regulations for DDS required activities at 42 CFR 440.315.

**N. Analysis of alternatives to adopting the proposed rule (75 OS 303(D)(2)(l))**

The agency considered maintaining the status quo, but these rules were the best approach to addressing minor technical language corrections and establishing the change in agency from OHCA to OKDHS.

**O. Estimates of internal OHCA employee time and other resources used to develop the proposed rule (75 OS 303(D)(2)(m))**

OHCA has spent approximately 20 hours developing the proposed rule.

**P. Date statement prepared or modified (75 OS 253(B)(2)(b)(13), 75 OS 303(D)(2)(k))**

Prepared: September 24, 2025

Modified date: November 18, 2025