

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 calculated 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