



**Kevin Corbett** | Chief Executive Officer

**J. Kevin Stitt** | Governor

I/T/U Public Notice 2023-01

January 20, 2023

**RE: Oklahoma Health Care Authority Proposed COVID-19 Disaster Relief Request**

Dear Tribal Representative:

The purpose of this letter is to notify you of a proposed COVID-19 Disaster Relief request that was submitted to CMS for review and approval.

In response to the public health emergency (PHE) declared by the President of the United States on March 13, 2020, the Secretary of the U.S. Department of Health and Human Services invoked his authority to waive or modify certain requirements of titles XVIII, XIX, and XXI of the Social Security Act to assist states in responding to the COVID-19 national emergency. The Centers for Medicare and Medicaid Services (CMS) is allowing states to request flexibilities which revise policies related to eligibility, enrollment, benefits, premiums, cost sharing, and payments outlined in their Medicaid state plans as well as Section 1115 demonstrations. The flexibilities ensure sufficient health care items and services are available to meet the needs of Medicaid members and to ensure health care providers who furnish such services in good faith, but are unable to comply with one or more of such requirements as a result of the COVID-19 pandemic, may be reimbursed for services absent any determination of fraud or abuse.

OHCA requested the following COVID-19 related policy changes through a disaster relief state plan amendment:

Effective March 30, 2020, signature requirements for pharmacy counseling related to the dispensing of drugs will be waived for the duration of the COVID-19 Public Health Emergency.

Effective January 1, 2023, the base rate for private duty nursing services will be increased from \$32.68/hour to \$40/hour, and the overtime rate for persons with tracheostomies or who are ventilator dependent will be increased from \$40/hour to \$48.92/hour. These rates are for the duration of the PHE. After the expiration of the PHE, the State will seek to keep these increased rates in effect.



**ADDRESS**

4345 N. Lincoln Blvd.  
Oklahoma City, OK 73105



**WEBSITES**

[okhca.org](http://okhca.org)  
[mysoonerCare.org](http://mysoonerCare.org)



**PHONE**

Admin: 405-522-7300  
Helpline: 800-987-7767



**OKLAHOMA**  
Health Care Authority

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The OHCA values consultation with tribal governments and will strive to provide your representatives up-to-date information regarding the requests submitted to CMS. Additionally, this disaster relief request will be discussed at the upcoming tribal consultation meeting on March 7, 2023.

Sincerely,

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Dana Miller  
Director, Tribal Government Relations



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