



STATE OF OKLAHOMA  
OKLAHOMA HEALTH CARE AUTHORITY

I/T/U Public Notice 2012-04

November 6, 2012

**RE: Oklahoma Health Care Authority (OHCA) Proposed Rule Changes for State Health Programs**

Dear Tribal Representative:

The purpose of this letter is to give you notice of proposed rule changes that will be reviewed at the Medical Advisory Committee (MAC) meeting held on November 14<sup>th</sup>, 2012. As you are aware, there was also an in-person tribal consultation at OHCA regarding these rules on November 6<sup>th</sup>. OHCA is committed to active communication with Tribal Governments during the OHCA decision-making and priority-setting process and therefore keeps you apprised of all proposed rule changes.

Enclosed is a summary of the currently proposed rule changes for your review. The summary describes the purpose of each rule change and the anticipated impact on those affected. To view the complete proposal for the November 14<sup>th</sup> MAC, you can visit [www.okhca.org/macagenda](http://www.okhca.org/macagenda).

Please note that these are only proposed rule changes and have not yet taken effect. Before implementation, new rule changes must obtain budget authorization, federal approval (if applicable), OHCA Board approval, and the governor's approval.

Additionally, OHCA is now posting all proposed rule changes on the Agency's public website [www.okhca.org/rule-changes](http://www.okhca.org/rule-changes). The proposed rule changes page is designed to give all constituents and stakeholders an opportunity to review and make comments regarding upcoming rule changes.

To ensure that you stay apprised of proposed rule changes, you may sign up for web alerts for the page and you will automatically be notified when any new rules are posted for comment.

OHCA values consultation with Tribal Governments and will provide your representatives a reasonable amount of time to respond to this notification. If you have any questions or comments about the proposed rule changes, please use the online comment system found at [www.okhca.org/rule-changes](http://www.okhca.org/rule-changes). This system allows us to efficiently respond to comments and inquiries regarding our rules.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dana Miller".

Dana Miller  
Indian Health Director

### **OHCA Initiated Policy Changes**

**12-07 Therapy Referral Requirements**— Agency policy on therapy services is revised to comply with federal law, which requires a prescription or referral from a physician or practitioner of the healing arts before therapy services are rendered. Policy is also revised to require a prior authorization for speech therapy services.

**Budget Impact:** Total Budget Savings of \$25,000; State Savings of \$8,750

**12-08 Parental Consent Policy**— Policy is amended to match state law and current agency operational requirements that parental or legal guardian consent must be given prior to rendering services to a minor child.

**Budget Impact:** Budget neutral

**12-09 Long Term Care Crossover Payments**— Policy will be amended to allow 100% payment of Medicare Crossover deductibles and coinsurance at skilled nursing facilities. Current policy allows payment at the Medicaid rate, which was previously adjusted to 0%. The rationale behind current policy is based on a federal policy that allowed federal reimbursement/write-offs for bad debts. That federal policy is no longer in effect and has prompted the policy amendment request.

**Budget Impact:** Budget Cost of \$24 million, \$8.6 million state share

### **ODMHSAS Initiated Policy Changes**

**12-19 Behavioral Health Rehabilitation Services.** Outpatient Behavioral Health rules are revised to: (1) Clarify that rehabilitative services are adjunct (enhancing) interventions designed to complement more intensive behavioral health therapies and interventions; (2) Limit BHRS services to age appropriate target populations for children and eliminate coverage to children under the age of 6 unless medical necessity requires an exception pursuant to EPSDT requirements; and (3) Impose limits on BHRS services which will be based on the individual's level of need as determined by standardized assessment tools recognized by ODMHSAS and OHCA.

**Budget Impact:** SFY 2013 \$7,823,775 Total Savings (\$2,814,994 State); SFY 2014 \$18,777,062 Total Savings (\$6,755,986 State)