



**AMENDMENT TWO
TO THE CONTRACT BETWEEN
OKLAHOMA HEALTH CARE AUTHORITY
AND
LIBERTY DENTAL PLAN OF OKLAHOMA, INC.**

The Oklahoma Health Care Authority (OHCA) and Liberty Dental Plan of Oklahoma, Inc. (hereinafter referred to as Contractor) mutually consent to modify the SoonerSelect Contract issued under Solicitation 8070001412 as reflected below. All revisions are shown in red text; removals are indicated with strikethroughs, and additions are notated with underlines.

1.20.6.1 MLR Corridor and MLR Remittance

The Contractor’s total annual Capitation Payments shall be evaluated against a minimum eighty-five percent (85%) MLR, calculated in accordance with 42 C.F.R. § 438.8; ~~however, directed payments under 42 C.F.R. § 438.6(c) for MLR Remittance are excluded from both the numerator and denominator for the calculation of MLR Remittance.~~ The Contractor’s gains and losses shall be evaluated according to the table below. ~~Note for illustrative purposes the table below uses a Capitation Rate priced for (target) MLR of ninety percent (90%). As the Capitation Rates have not yet been developed, this illustrated ninety percent (90%) is subject to change. The corridor will be symmetric. The eighty-five percent (85%) minimum MLR will not change, and neither will the share factors. However, given the change in the priced for MLR, the eighty-eight percent (88%), ninety-two percent (92%), and ninety-five percent (95%) will be adjusted to provide a symmetrical corridor.~~ The MLR calculation will be performed across all population groups except a separate calculation will be performed for the Medicaid Expansion population for Federal match claiming purposes.

~~The following table has been provided for illustrative purposes only:~~

Medical Loss Ratio Corridor	Contractor Share of Gain/Loss in the Corridor	OHCA/CMS Share of the Gain/Loss in the Corridor
MLR of less than 85% (Target MLR -3.55%)	0%	100%
MLR between 85% and (Target MLR - 2%) and (Target MLR -3.55%)	50%	50%



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MLR between (Target MLR - 2%) and (Target MLR + 2%)	100%	0%
MLR between (Target MLR + 2%) and Risk Corridor Ceiling (Target MLR + 3.55%)	50%	50%
MLR greater than Risk Corridor Ceiling (Target MLR + 3.55%)	0%	100%

Additional details related to the risk corridor, including the target MLR, are included in the applicable rate certification, and are available to the managed care entities upon request.

OHCA reserves the right to modify the target MLR and associated corridor in future Contract Years, in accordance with Section 1.2.8: “Amendments or Modifications” of this Contract.

If the Contractor’s MLR does not meet or exceed the MLR target, then the Contractor shall reimburse OHCA within thirty (30) Days of OHCA identifying and finalizing the MLR validation. OHCA shall designate the MLR rebate and initiate the recovery of funds process by providing notice to the Contractor of the amount due. This provision shall survive expiration of the Contractor’s other duties under the SoonerSelect Dental program, in the event the Contractor is terminated or not renewed.

If the Contracted Entity determines that payment of the remittance will cause the Contracted Entity’s risk-based capital to fall below levels required by 36 O.S. § 6146, the Contracted Entity’s responsible official must notify OHCA in writing as soon as administratively possible and prior to making any MLR rebate payments to OHCA.

This Amendment is effective when fully executed. With the exception of the modifications stated herein, no other terms or provisions of the Contract are changed or affected.

EXECUTED:

DocuSigned by:
Lisa Gifford
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Lisa Gifford

Date

Ellen Buettner

Ellen Buettner

Date



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