

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1012

By: Bush of the House

and

Garvin of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to public health; stating policy;
12 prohibiting certain Oklahoma Health Care Authority
13 contracts from having certain negative impacts;
14 requiring certain contracts to purchase
15 transportation through Oklahoma public transit
16 systems and to respect certain jurisdictional
17 boundaries; requiring certain contracted entities to
18 collaborate with the entity implementing a statewide
19 mobility management program; listing provider
20 requirements; providing for codification; and
21 providing an effective date.

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24 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 5009.7 of Title 63, unless there
is created a duplication in numbering, reads as follows:

A. It is the policy of the State of Oklahoma that all state
agencies with an interest in public transit should ensure their

1 programs are in alignment with the Oklahoma Public Transit Policy
2 Plan as mandated by Sections 322 through 324 of Title 69 of the
3 Oklahoma Statutes and that state policy and program direction
4 related to public transit and transportation should ensure a
5 coordinated public transit network that meets the mobility needs of
6 all Oklahomans in a safe, reliable, consistent, and economical
7 manner.

8 B. The Oklahoma Health Care Authority, in contracting for
9 nonemergency medical transportation for Medicaid or SoonerCare
10 participants, shall not allow any existing contract to have or award
11 any new contract that will have a negative impact on the financial
12 stability of the state's public transit network as envisioned by the
13 Oklahoma Public Transit Policy Plan.

14 C. The Oklahoma Health Care Authority shall direct any entity
15 contracted to broker or schedule nonemergency medical transportation
16 for Medicaid or SoonerCare participants, whether such contract is
17 between the entity and the Oklahoma Health Care Authority or is an
18 entity subcontracted with an entity under contract with the Oklahoma
19 Health Care Authority, to purchase participants' transportation
20 through Oklahoma public transit systems, as defined by Sections
21 5307, 5310 and 5311 of Title 49 of the United States Code, in all
22 instances where public transit services are available to meet the
23 participants' needs in as cost-effective a manner as other
24 transportation providers meeting the same state and federal

1 regulations, safety and cleanliness standards, and education and
2 training standards as prescribed in subsection E of this section.
3 In purchasing such nonemergency medical transportation, the Oklahoma
4 Health Care Authority and any contracted or subcontracted entity
5 shall first respect the jurisdictional boundaries of such public
6 transit systems as defined by the Office of Mobility and Public
7 Transit at the Oklahoma Department of Transportation.

8 D. Any entity contracted to broker or schedule nonemergency
9 medical transportation for Medicaid or SoonerCare participants,
10 whether such contract is between the entity and the Oklahoma Health
11 Care Authority or is an entity subcontracted with an entity under
12 contract with the Oklahoma Health Care Authority, shall reasonably
13 collaborate with the entity implementing a statewide mobility
14 management program as envisioned by the Oklahoma Public Transit
15 Policy Plan and recognized by the public transit agencies in the
16 state, to ensure such trips coordinate with public transit services
17 and human services transportation through the recognized statewide
18 mobility management program.

19 E. In order for any public transit provider or transportation
20 company to provide nonemergency medical transportation for Medicaid
21 or SoonerCare participants, such provider or company shall have a
22 valid certification from the Oklahoma Transit Association affirming
23 that the provider or company has met certain education and training
24 standards, adheres to all state and federal regulations, adheres to

1 industry safety and cleanliness standards and is based in the State
2 of Oklahoma.

3 SECTION 2. This act shall become effective November 1, 2021.
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5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
6 02/25/2021 - DO PASS, As Amended and Coauthored.
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