

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB1396</b>
<b>Version:</b>	<b>PCS2</b>
<b>Request Number:</b>	<b>11396</b>
<b>Author:</b>	<b>Rep. McEntire</b>
<b>Date:</b>	<b>4/20/2022</b>
<b>Impact:</b>	<b>Please see previous summary of this measure</b>

**Research Analysis**

The proposed committee substitute 2 (PCS2) to SB 1396 modifies and adds certain definitions to the measure. PCS2 strikes the exception for the Supplemental Hospital Offset Payment Program fee and clarifies that the fee will be in an amount calculated as a percentage of each eligible hospital's net hospital patient revenue. Funds received by the State Treasury through the supplemental hospital offset payment program fee will be disbursed for certain purposes specified in the act. The measure directs the Oklahoma Health Care Authority (OHCA) to calculate the total funds necessary to make the disbursements specified in the act excluding from the total funds any disbursement that fails to comply with a condition for inclusion. PCS2 requires OHCA to calculate an annual assessment percentage rate determined for each Medicaid program year with certain requirements.

The measure updates statutory language for clarity and modifies the Oklahoma Health Care Authority's criteria for administrative penalties. PCS2 restricts OHCA from transferring any funds from the Supplemental Hospital Offset Payment Program Fund to other certain funds specified in the measure. The measure requires OHCA to send an annual notice of assessment to each eligible hospital containing all information necessary so that the eligible hospital may validate the Authority's calculation of the assessment. PCS2 specifies that an eligible hospital has 30 days from the date of its receipt of an annual notice to notify the Authority of any error in the notice.

The measure updates statutory language to clarify the penalties for eligible hospitals who fail to pay a quarterly payment of an annual assessment timely and in full. PCS2 also clarifies that the quarterly payment including applicable penalties fees must be paid regardless of any administrative review.

PCS1 updates statutory language regarding Medicaid Hospital Access Payments and requirements for monies used in the Supplemental Hospital Offset Payment Program Fund.

The measure provides that each program year a critical access hospital will receive from the critical hospital payment pool quarterly amounts that will total the estimated maximum amount the Authority calculated, not to exceed billed charges, for that critical access hospital. This act will only become effective if SB 1337 of the Second Session of the 58th Legislature is enacted into law. The measure declares an emergency.

Prepared By: Dan Brooks

**Fiscal Analysis**

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

**Other Considerations**

None.

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