

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3378

By: McEntire

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 2021, Section 1-713.1, which relates to Federally Qualified Health Centers, legislative findings, compliance with federal statutes, regulations, policies, investigative violations, rules, and ensure payment for services; adding to federal compliance for Federally Qualified Health Centers; allowing the Oklahoma Health Care Authority to adopt reimbursement mechanisms for community health center payments; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-713.1, is amended to read as follows:

Section 1-713.1 A. The Legislature finds that:

1. As providers of health care to medically underserved populations, Federally Qualified Health Centers are extremely beneficial to the citizens of Oklahoma;

2. The primary source of funding for Federally Qualified Health Centers is through grants of funds by the Bureau of Primary Health

Care (BPHC) under Section 330 of the Public Health Service Act as amended by the Health Centers Consolidation Act of 1996;

3. The receipt of federal grants is dependent upon compliance with federal statutes, regulations and policies regarding the mission, programs, governance, management and financial responsibilities of such entities; and

4. In addition to federal grant monies, Federally Qualified Health Centers in Oklahoma receive additional monies through the appropriation of state funds.

B. In an effort to maintain the presence of Federally Qualified Health Centers in Oklahoma and minimize the possibility of jeopardizing federal funding for such entities, all Federally Qualified Health Centers in Oklahoma that receive grants under Section 330 of the Public Health Service Act shall:

1. Remain in compliance at all times with the federal statutes, regulations and policies governing their existence at 42 U.S.C. 254b, 42 CFR 51c.303, 51c.304 and 51c.305, and BPHC Policy Information Notice 98-23 or superseding BPHC policies regarding community health center compliance; and

2. Adhere to bylaws adopted in compliance with the federal statutes, regulations and policies including, but not limited to, provisions regarding the composition, functions and responsibilities of boards of directors of Federally Qualified Health Centers.

1 C. Any Federally Qualified Health Center in Oklahoma that fails  
2 to comply with federal statutes, regulations and policies governing  
3 its existence shall be ineligible for state reimbursement for  
4 uncompensated care.

5 D. The State Department of Health shall investigate reported  
6 violations of this act and, notwithstanding any other provision,  
7 shall enforce this act by not contracting to reimburse the  
8 uncompensated care costs of any Federally Qualified Health Center  
9 found to be in violation of the provisions of this act. The  
10 Department shall further report any violations of federal statutes,  
11 regulations and policies related to this act to the Bureau of  
12 Primary Health Care or other appropriate federal funding agency.

13 E. In order to ensure that Federally Qualified Health Centers  
14 in Oklahoma remain eligible to receive state reimbursement for  
15 uncompensated care under the provisions of this act, the State Board  
16 of Health shall adopt rules, as it deems necessary and appropriate,  
17 requiring board members of such entities to receive board member  
18 training and establishing certification for entities to provide such  
19 training.

20 F. The Oklahoma Health Care Authority shall, at all times,  
21 ensure that Federally Qualified Health Centers receive, at a  
22 minimum, payment for services in accordance with Section 1396a(bb)  
23 of Title 42 of the United States Code. The Oklahoma Health Care  
24 Authority may adopt or authorize reimbursement mechanisms in regard

1 to community health center payments that maximize federal financial  
2 participation in accordance with applicable federal law.

3 SECTION 2. This act shall become effective November 1, 2024.  
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