

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

HOUSE BILL 1820

By: Newton

AS INTRODUCED

An Act relating to poor persons; amending 56 O.S. 2021, Sections 246 and 247, which relate to the Act to Restore Hope, Opportunity, and Prosperity for Everyone; removing language related to verifying eligibility information; and providing an effective date.

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

SECTION 1. AMENDATORY 56 O.S. 2021, Section 246, is amended to read as follows:

Section 246. A. This act shall be known and may be cited as the "Act to Restore Hope, Opportunity and Prosperity for Everyone" or the "HOPE Act".

B. Prior to awarding assistance under Medicaid, the Oklahoma Health Care Authority shall verify eligibility information of each applicant, ~~excluding those applicants who would be eligible under the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and excluding those applicants with intellectual disabilities receiving Home and Community Based Medicaid waiver and state funded services.~~

1 C. The information verified by the Authority shall include, but  
2 is not limited to:

- 3 1. Earned and unearned income;
- 4 2. Employment status and changes in employment;
- 5 3. Immigration status;
- 6 4. Residency status, including a nationwide best-address source  
7 to verify individuals are residents of the state;
- 8 5. Enrollment status in other state-administered public  
9 assistance programs;
- 10 6. Financial resources;
- 11 7. Incarceration status;
- 12 8. Death records;
- 13 9. Enrollment status in public assistance programs outside of  
14 this state; and
- 15 10. Potential identity fraud or identity theft.

16 D. The Authority shall sign a memorandum of understanding with  
17 any department, agency or division for information detailed in  
18 subsection C of this section.

19 E. The Authority shall contract with one or more independent  
20 vendors to provide information detailed in subsection C of this  
21 section. Any contract entered under this subsection shall establish  
22 annualized savings that exceed the contract's total annual cost to  
23 the state.

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1 F. Nothing in this section shall preclude the Authority from  
2 receiving, reviewing or verifying additional information related to  
3 eligibility not detailed in this section or from contracting with  
4 one or more independent vendors to provide additional information  
5 not detailed in this section.

6 SECTION 2. AMENDATORY 56 O.S. 2021, Section 247, is  
7 amended to read as follows:

8 Section 247. A. On a quarterly basis, the Oklahoma Health  
9 Care Authority shall receive and review information concerning  
10 individuals enrolled in Medicaid that indicates a change in  
11 circumstances that may affect eligibility, ~~excluding those~~  
12 ~~individuals who would be eligible under the Tax Equity and Fiscal~~  
13 ~~Responsibility Act of 1982 (TEFRA) and excluding those individuals~~  
14 ~~with intellectual disabilities receiving Home and Community Based~~  
15 ~~Medicaid waiver and state-funded services.~~

16 B. The information provided to the Authority shall include, but  
17 is not limited to:

- 18 1. Earned and unearned income;
- 19 2. Employment status and changes in employment;
- 20 3. Residency status;
- 21 4. Enrollment status in other state-administered public  
22 assistance programs;
- 23 5. Financial resources;
- 24 6. Incarceration status;

1 7. Death records;

2 8. Lottery winnings; and

3 9. Enrollment status in public assistance programs outside of  
4 this state.

5 C. The Authority shall sign a memorandum of understanding with  
6 any department, agency or division for information detailed in  
7 subsection B of this section.

8 D. The Authority shall contract with one or more independent  
9 vendors to provide information detailed in subsection B of this  
10 section. Any contract entered under this subsection shall establish  
11 annualized savings that exceed the contract's total annual cost to  
12 the state.

13 E. The Authority shall explore joining any multistate  
14 cooperative to identify individuals who are also enrolled in public  
15 assistance programs outside of this state, including the National  
16 Accuracy Clearinghouse.

17 F. Nothing in this section shall preclude the Authority from  
18 receiving or reviewing additional information related to eligibility  
19 not detailed in this section or from contracting with one or more  
20 independent vendors to provide additional information not detailed  
21 in this section.

22 G. If the Authority receives information concerning an  
23 individual enrolled in Medicaid that indicates a change in  
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1 circumstances that may affect eligibility, the Authority shall  
2 review the individual's case using the following procedures:

3 1. If the information does not result in the Authority finding  
4 a discrepancy or change in an individual's circumstances that may  
5 affect eligibility, the Authority shall take no further action;

6 2. If the information results in the Authority finding a  
7 discrepancy or change in an individual's circumstances that may  
8 affect eligibility, the Authority shall promptly redetermine  
9 eligibility after receiving such information;

10 3. If the information results in the Authority finding a  
11 discrepancy or change in an individual's circumstances that may  
12 affect eligibility, the individual shall be given an opportunity to  
13 explain the discrepancy; provided, however, that self-declarations  
14 by applicants or recipients shall not be accepted as verification;

15 4. The Authority shall provide notice to the individual which  
16 shall describe in sufficient detail the circumstances of the  
17 discrepancy or change, the manner in which the applicant or  
18 recipient may respond, and the consequences of failing to take  
19 action. The applicant or recipient shall have ten (10) business  
20 days to respond in an attempt to resolve the discrepancy or change.  
21 The explanation provided by the recipient or applicant shall be  
22 given in writing. After receiving the explanation, the Authority  
23 may request additional documentation if it determines that there is  
24 risk of fraud, misrepresentation or inadequate documentation;

1           5. If the individual does not respond to the notice, the  
2 Authority shall discontinue assistance for failure to cooperate, in  
3 which case the Authority shall provide notice of intent to  
4 discontinue assistance. Eligibility for assistance shall not be  
5 established or reestablished until the discrepancy or change has  
6 been resolved;

7           6. If an individual responds to the notice and disagrees with  
8 the findings, the Authority shall reinvestigate the matter. If the  
9 Authority finds that there has been an error, the Authority shall  
10 take immediate action to correct it and no further action shall be  
11 taken. If, after an investigation, the Authority determines that  
12 there is no error, the Authority shall determine the effect on the  
13 individual's case and take appropriate action. Written notice of  
14 the Authority action shall be given to the individual; and

15           7. If the individual agrees with the findings, the Authority  
16 shall determine the effect on the individual's case and take  
17 appropriate action. Written notice of the Authority action shall be  
18 given to the individual. In no case shall the Authority discontinue  
19 assistance upon finding a discrepancy or change in circumstances  
20 until the individual has been given notice of the discrepancy and  
21 the opportunity to respond as required under the HOPE Act.

22           SECTION 3. This act shall become effective November 1, 2025.

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24           60-1-11387           CMA           12/19/24