

November 4<sup>th</sup>, 2021  
1:00 – 3:30 PM

Charles Ed McFall Board Room

## **AGENDA**

- I. Welcome, Roll Call, and Public Comment Instructions: **Chairman, Jason Rhynes, O.D.**
- II. Action Item: Approval of Minutes of the September 9<sup>th</sup>, 2021: **Medical Advisory Committee Meeting**
- III. Public Comments (2 minute limit)
- IV. MAC Member Comments/Discussion
- V. SoonerCare Operations: **Traylor Rains, Deputy State Medicaid Director**
- VI. 1115 Waiver Post Award Forum: **Sandra Puebla, Senior Director of Federal & State Authorities**
- VII. Proposed Rule Changes: Presentation, Discussion, and Vote: **Sandra Puebla, Senior Director of Federal & State Authorities**
  - A. **APA WF 21-22 Title XXI Dental Revisions for Pregnant Women**
  - B. **APA WF # 21-26 Afghan Refugees**
- VIII. Election of Chairman and Vice-Chairman: **Chairman, Jason Rhynes, O.D.**
- IX. Future Meeting: **Chairman, Jason Rhynes, O.D.**
  - January 13, 2022
  - March 10, 2022
  - May 12, 2022
  - July 14, 2022
  - September 8, 2022
  - November 10, 2022
- X. New Business: **Chairman, Jason Rhynes, O.D.**
- XI. Adjourn **Chairman, Jason Rhynes, O.D.**

Oklahoma Health Care Authority  
MEDICAL ADVISORY COMMITTEE  
MINUTES of the September 9, 2021 Meeting  
4345 N. Lincoln Blvd., Oklahoma City, OK 73105

**I. Welcome, Roll Call, and Public Comment Instructions:**

Chairman, Dr. Jason Rhynes called the meeting to order at 1:00 PM.

***Delegates present were:*** Ms. Sarah Baker, Ms. Debra Billingsly, Dr. Erin Balzer, Dr. Joe Catalano, Mr. Victor Clay, Dr. Steven Crawford, Ms. Wanda Felty, Ms. Terrie Fritz, Mr. Mark Jones, Ms. Jennifer King, Dr. Craig Kupiec, Ms. Melissa Miller, Dr. Daniel Post, Ms. Toni Pratt-Reid, Dr. Jason Rhynes, Dr. Dwight Sublett, Mr. William Whited, and Dr. Whitney Yeates.

***Alternates present were:*** Mr. Terry Bryce and Ms. Sandra Harrison, providing a quorum.

***Delegates absent without an alternate were:*** Ms. Mary Brinkley, Mr. Brett Coble, Dr. Arlen Foulks, Ms. Allison Garrison, Mr. Steve Goforth, Ms. Annette Mays, Dr. J'Dene Rogers, Mr. James Patterson, Dr. Raymond Smith, and Mr. Jeff Tallent.

**II. Approval of the July 8, 2021 Minutes**

Medical Advisory Committee

**The motion to approve the minutes was by Dr. J. Daniel Post and seconded by Mr. Victor Clay and passed unanimously.**

**III. Public Comments (2 minute limit):**

There were no public comments.

**IV. MAC Member Comments/Discussion:**

Chairman, Jason Rhynes, O.D.

**V. Financial Report:**

Tasha Black, Senior Director of Financial Services

Ms. Black presented the financial report ending in June 2021. OHCA is 2.3% under budget in revenues and 3.7% under budget in expenditures with the result that our budget variance is a positive \$62,706,272. The budget variance is primarily attributed to the following: Medicaid Program Variance is a positive 52.7 million state dollars, and administration is a positive 10.8 million state dollars. Drug Rebate, taxes and Fees, which also included tobacco tax is 6.1 million state dollars under budget. For more detailed information, see item 5 in the MAC agenda. For more detailed information, see item 5 in the MAC agenda.

**VI. SoonerCare Operations Update:**

Melinda Thomason, Senior Director for Stakeholder Engagement

Ms. Thomason presented the SoonerCare Operations update to the committee. Information is based on data for June 2021. Patient Centered Medical Home enrollment is at 644,160 which is up by 6,892. Sooner Care Traditional has a current enrollment of 284,051 which is 1,129 more than the previous month. Insure Oklahoma has a total enrollment of 40,867, of which 15,580 are in the Employee Sponsored Plan, and 25,287 are in the individual plan. In total, SoonerCare enrollment is at 1,024,574. Total in-state providers is up 198, giving a total of 48,053. For more detailed information, please see item 6 in the MAC agenda.

**VIII. Proposed Rule Changes: Presentation, Discussion, and Vote:**

Sandra Puebla, Senior Director of Federal & State Authorities

**APA WF # 21-01 Reimbursing Federally Qualified Health Centers (FQHCs) for Long-Acting Reversible Contraceptive (LARC) Devices Outside of the Encounter Rate** - The proposed rules add language to clarify that reimbursement for LARC devices will be paid outside of the FQHC encounter rate.

**Budget Impact:** Budget Neutral

**Tribal Consultation:** July 7, 2020

**The rule change motion to approve was by Dr. Steven Crawford and seconded by Ms. Terrie Fritz and passed unanimously.**

**APA WF # 21-10 Transitioning Developmental Disabilities Services Division (DDSD) Members back into the Money Follows (MFP) the Person Demonstration** – The proposed revisions will add language that allows the DDSD to transition members, who have been a resident in a public or private Medicaid Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID), or qualified long term care facility, into a community setting through the Living Choice MFP program. The proposed revisions also change the required amount of consecutive time an individual must be in the long-term care institution prior to being eligible for transition into the community setting from “at least ninety (90) consecutive days” to sixty (60) consecutive days. Additionally, proposed revision will be removing language that pertained to a pilot program involving the PRTF population, which was not successful and will no longer be implemented. Finally, revisions will remove outdated language to reflect current business practices.

**Budget Impact:** Budget neutral

**Tribal Consultation:** July 6, 2021

**The rule change motion to approve was by Mr. William Whited and seconded by Dr. Joe Catalano and passed unanimously.**

**APA WF # 21-11 Indian Health Service, Tribal and Urban Indian (I/T/U) Shared Savings Program –**

The proposed new rules comply with Senate Bill 434 (SB 434), which allows the Oklahoma Health Care Authority (OHCA) to create a shared savings program and shared savings revolving fund with the I/T/U.

**Budget Impact:** Pending

**Tribal Consultation:** July 6, 2021

**The rule change motion to approve was by Dr. Steven Crawford and seconded by Dr. Joe Catalano and passed unanimously.**

**APA WF # 21-16 Hospital Presumptive Eligibility for Expansion Adults** - The proposed policy will add expansion adults to the list of groups eligible to have a presumptive eligibility determination made by a qualified hospital participating in the Hospital Presumptive Eligibility (HPE) program. HPE is a limited period of SoonerCare eligibility for certain eligibility groups that can be determined by a qualified hospital on the basis of preliminary information provided by the applicant while the complete SoonerCare application is being processed.

**Budget Impact:** The estimated total cost for SFY 2022 is \$841,781 (\$757,603 in federal share and \$84,178 in state share). The estimated total cost for SFY 2023 is \$1,122,375 (\$1,010,137 in federal share and \$112,238 in state share).

**Tribal Consultation:** September 7, 2021

**The rule change motion to approve was by Ms. Sandra Harrison and seconded by Ms. Terrie Fritz and passed unanimously.**

**APA WF # 21-17 Adult Dental Benefit Revisions** — The proposed revisions will comply with Oklahoma Senate Bill 1046, which directed the Oklahoma Health Care Authority to expand its adult dental benefit. The revisions will add dental examinations, x-rays, dental cleanings, fluoride, dental fillings, scaling and root planing, as well as dentures and partial dentures as covered services for SoonerCare adult members. The proposed revisions will delineate coverage as well as any applicable service limitation(s). Furthermore, the revisions will state that the new adult dental services will be reimbursed pursuant to the current established reimbursement methodology within the Oklahoma State Plan. Finally, revisions will involve minor cleanup to fix grammatical and formatting errors.

**Budget Impact:** The estimated budget impact, for SFY2022, will be an increase in the total amount of \$68,653,438; with \$14,124,398 state share. The estimated budget impact, for SFY2023, will be an increase in the total amount of \$68,653,438; with \$14,867,564 state share.

**Tribal Consultation:** June 8, 2021

**The rule change motion to approve was by Dr. Dwight Sublett and seconded by Ms. Terrie Fritz and passed unanimously.**

**APA WF # 21-18 COFA Migrant Medicaid Extension** - The proposed policy will update the alien status policy so that effective December 27, 2020, Compact of Free Association (COFA) migrants from the Republic of the Marshall Islands, the Republic of Palau, and Federated States of Micronesia are eligible for SoonerCare without the five-year waiting period requirement, provided all other eligibility

Oklahoma Health Care Authority  
MEDICAL ADVISORY COMMITTEE  
MINUTES of the September 9, 2021 Meeting  
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factors are met and provided they maintain the status of qualified non-citizens, per Section 208 of the Consolidated Appropriations Act of 2020. Previously COFA migrants were eligible for emergency services only.

**Budget Impact:** The estimated total cost for SFY 2022 is \$8,552,972 (\$6,395,913 in federal share and \$2,157,059 in state share). The estimated total cost for SFY 2023 is \$8,552,972 (\$6,270,184 in federal share and \$2,282,788 in state share).

**Tribal Consultation:** September 7, 2021

**The rule change motion to approve was by Ms. Terrie Fritz and seconded by Dr. Joe Catalano and passed unanimously.**

**APA WF # 21-19 Appeals to the Chief Executive Officer (CEO)/Administrative Law Judge (ALJ) —**

The proposed rule changes will comply with Senate Bill 207 by revising policies regarding appeals to the Agency's chief executive officer (CEO) pursuant to 63 O.S. §5052(C). The changes will note that the CEO may only designate an administrative law judge (ALJ) at another state agency, that is established in the State Medicaid Plan and approved by the Centers for Medicare and Medicaid Services (CMS), to hear and decide a CEO appeal. Further revisions will clarify that in-person hearing requests will need to be submitted on the updated LD-4 form.

**Budget Impact:** Budget neutral

**Tribal Consultation:** July 6, 2021

**The rule change motion to approve was by Mr. Victor Clay and seconded by Dr. Steven Crawford and passed unanimously.**

**APA WF # 21-20 Alternative Treatments for Pain Management —** The proposed additions will establish limited coverage for chiropractor services and physical therapy services as a nonpharmacologic alternative for the treatment of spinal pain in SoonerCare adult members. Additionally, the proposed additions will define provider participation, medical necessity, as well as coverage and service limitation guidelines. Furthermore, the proposed additions will state that reimbursement is established within the Oklahoma State Plan. Finally, revisions will involve minor cleanup to fix formatting errors and add references to the new sections.

**Budget Impact:** The estimated budget impact, for SFY2022, will be an increase in the total amount of \$13,152,504; with \$4,228,530 in state share. The estimated budget impact, for SFY2023 will be an increase in the total amount of \$26,305,009; with \$8,457,060 in state share.

**Tribal Consultation:** July 6, 2021

**The rule change motion to approve was by Dr. J. Daniel Post and seconded by Dr. Dwight Sublett and passed unanimously.**

**APA WF # 21-21 Non-hospital based hospice —** The proposed rule will add hospice services as a covered benefit for the adult expansion population as described per the Code of Federal Regulations (CFR) Title 42 Section 435.119. The proposed rule changes will outline hospice coverage, eligibility criteria, reimbursement, provider qualifications/requirements, and prior authorization requirements.

Oklahoma Health Care Authority  
MEDICAL ADVISORY COMMITTEE  
MINUTES of the September 9, 2021 Meeting  
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**Budget Impact:** The proposed rule to add hospice as a covered service for expansion adults may result in an estimated total cost of \$584,135.13, with \$58,413.51 in state share for SFY2022; and a total cost of \$778,846.84, with \$77,884.68 in state share for SFY2023.

**Tribal Consultation:** May 4, 2021

**The rule change motion to approve was by Dr. J. Daniel Post and seconded by Dr. Steven Crawford and passed unanimously.**

**IX. MAC Meeting Dates for Calendar 2021:**

Chairman, Jason Rhynes, O.D.

November 4, 2021

**X. New Business:**

Chairman, Jason Rhynes, O.D.

**XI. Adjourn:**

Chairman, Jason Rhynes, O.D.

Chairman Rhynes asked for a motion to adjourn. Motion was provided by Dr. J. Daniel Post and seconded by Ms. Terrie Fritz, there was no dissent and the meeting adjourned at 2:25pm.

# OHCA Monthly Metrics November 2021 (September 2021 Data)

## SOONERCARE ENROLLMENT/EXPENDITURES

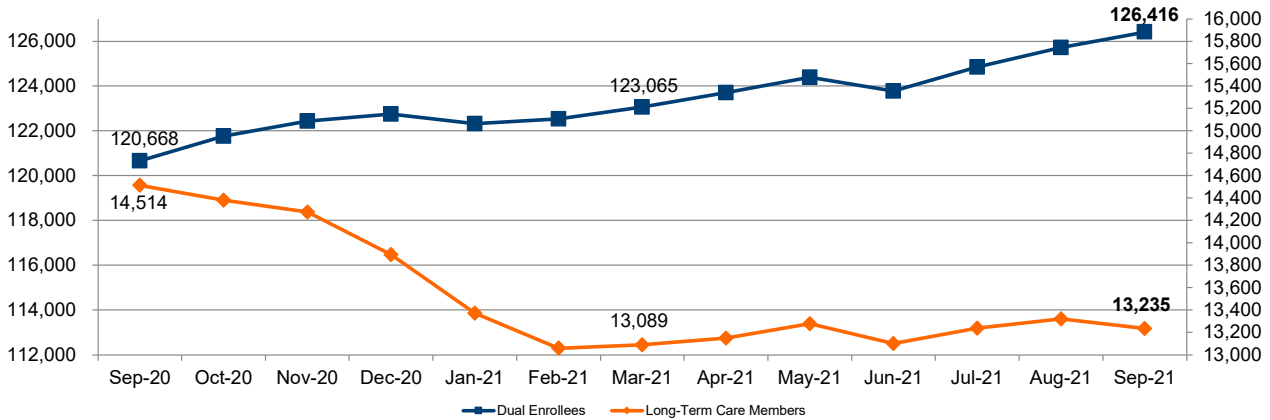
Delivery System	Enrollment September 2021	Children September 2021	Adults September 2021	Enrollment Change	Total Expenditures September	PMPM September 2021
<b>SoonerCare Choice Patient-Centered Medical Home</b>	<b>630,482</b>	<b>519,430</b>	<b>111,052</b>	<b>-2,372</b>	<b>\$236,376,988</b>	
Lower Cost <small>(Children/Parents; Other; SLMB)</small>	587,115	505,664	81,451	-2,588	\$176,661,527	\$301
Higher Cost <small>(Aged, Blind or Disabled; TEFRA; BCC)</small>	43,367	13,766	29,601	216	\$59,715,461	\$1,377
<b>SoonerCare Traditional</b>	<b>467,631</b>	<b>133,648</b>	<b>333,983</b>	<b>22,779</b>	<b>\$275,486,998</b>	
Lower Cost <small>(Children/Parents; Other; Q1; SLMB)</small>	344,609	128,645	215,964	22,256	\$103,095,741	\$299
Higher Cost <small>(Aged, Blind or Disabled; LTC; TEFRA; BCC &amp; HCBS Waiver)</small>	123,022	5,003	118,019	523	\$172,391,257	\$1,401
<b>Expansion (Effective July 2021)</b>	<b>181,747</b>	<b>0</b>	<b>181,747</b>	<b>21,875</b>	<b>\$88,890,873</b>	<b>\$489</b>
<b>Insure Oklahoma (ESI)</b>	<b>10,731</b>	<b>426</b>	<b>10,305</b>	<b>-415</b>	<b>\$3,976,437</b>	<b>\$371</b>
<b>SoonerPlan</b>	<b>13,109</b>	<b>155</b>	<b>12,954</b>	<b>-915</b>	<b>\$68,722</b>	<b>\$5</b>
<b>TOTAL (UNDUPLICATED)</b>	<b>1,121,953</b>	<b>653,659</b>	<b>650,041</b>	<b>40,952</b>	<b>\$604,800,018</b>	

Enrollment totals include all members enrolled during the report month. Members may not have expenditure data. Children are members aged 0 - 20 or for Insure Oklahoma enrolled as Students or Dependents. Dual Eligibles (Medicare & Medicaid) are in the Traditional delivery system in both the Low Cost (Q1 & SLMB) and High Cost (ABD) groups. OTHER includes DDSD, PKU, Q1, Refugee, SLMB, STBS and TB.

Total In-State Providers: 46,585 (+523)			(In-State Providers counted multiple times due to multiple locations, programs, types, and specialties)					
Physician	Pharmacy	Dentist	Hospital	MH/BH	Optometrist	Extended Care	Total PCPs*	PCMH
9,598	929	1,265	150	9,717	632	443	7,916	2,679

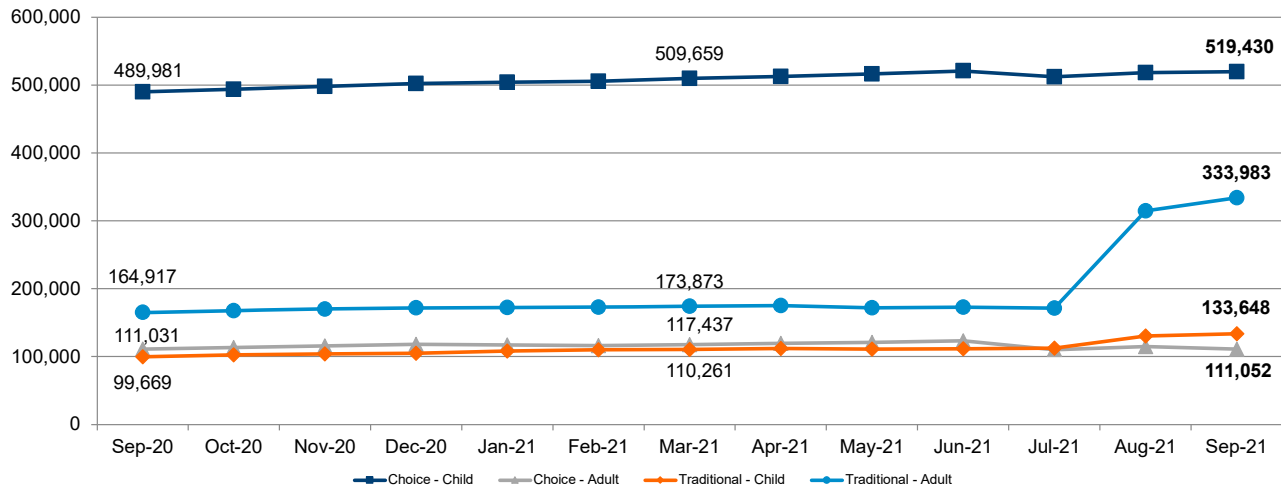
\*PCPs consist of all providers contracted as a Certified Registered Nurse Practitioner, Family Practitioner, General Pediatrician, General Practitioner, Internist, General Internist, and Physician Assistant. In general, decreases are due to contract renewal. Decrease during contract renewal period is typical during all renewal periods. Current decrease is due to physicians being in contract renewal.

## DUAL ENROLLEES & LONG-TERM CARE MEMBERS



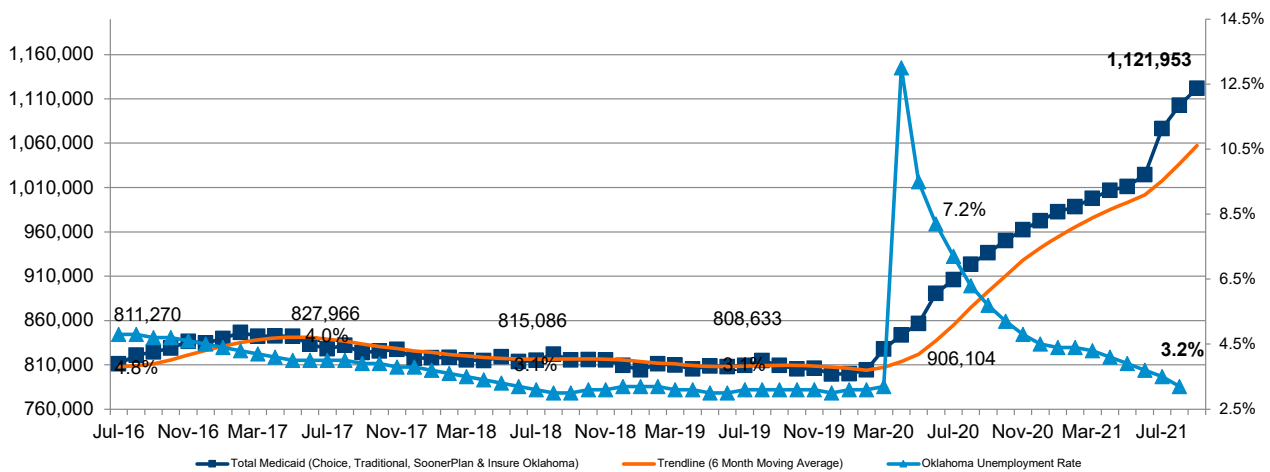
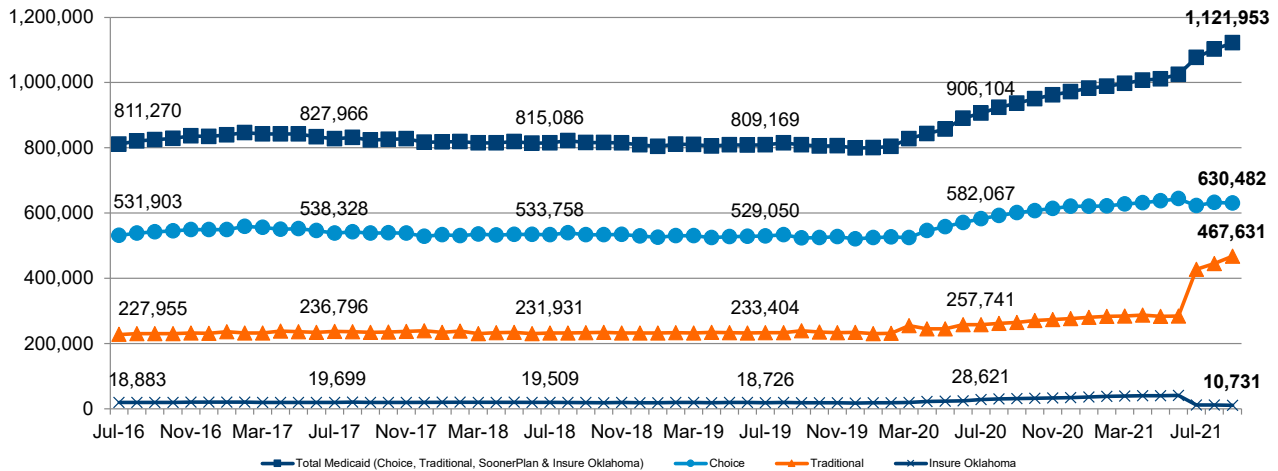
Enrollment increase beginning in March 2020 is due to COVID response to maintain members continuous coverage of care by postponing recertification.

## CHILDREN & ADULTS ENROLLMENT



Enrollment increase beginning in March 2020 is due to COVID response to maintain members continuous coverage of care by postponing recertification.

## ENROLLMENT BY MONTH



Oklahoma Unemployment Rate is from the Bureau of Labor Statistics 'Local Area Unemployment Statistics' (<https://www.bls.gov/lau/>) and is seasonally adjusted.

In June 2017 there were changes to the passive renewal system criteria that reduced the number of passively renewed members by 2/3rds. Increase in March 2020 due to COVID-19 economic impact and relief measures (Continuity of care by postponing recertifications) **Expansion was effective in July 2021.**

## PROVIDER ENROLLMENT (IN-STATE)

Month	Physician		Pharmacy		Mental Health		Dentist		Hospital		Optometrist		Ext Care Facility		Total PCPs		PCMH		Total In-State	
	Count	Change	Count	Change	Count	Change	Count	Change	Count	Change	Count	Change	Count	Change	Count	Change	Count	Change	Count	Change
Sep-20	11,034	+78	916	0	11,215	+74	1,267	+8	160	0	717	+7	431	0	8,044	+51	2,832	+19	46,385	+361
Oct-20	11,104	+70	916	0	11,372	+157	1,276	+9	160	0	729	+12	430	-1	8,102	+58	2,810	-22	46,958	+573
Nov-20	11,173	+69	916	0	11,479	+107	1,277	+1	161	+1	727	-2	429	-1	8,188	+86	2,832	+22	47,278	+320
Dec-20	11,223	+50	918	+2	11,622	+143	1,281	+4	161	0	725	-2	442	+13	8,254	+66	2,853	+21	47,760	+482
Jan-21	8,924	-2,299	919	+1	11,742	+120	1,285	+4	160	-1	731	+6	435	-7	7,477	-777	2,732	-121	45,793	-1,967
Feb-21	9,046	+122	916	-3	11,844	+102	1,289	+4	160	0	732	+1	434	-1	7,533	+56	2,736	+4	46,416	+623
Mar-21	9,128	+82	924	+8	12,009	+165	1,283	-6	160	0	733	+1	437	+3	7,617	+84	2,753	+17	47,107	+691
Apr-21	9,193	+65	923	-1	12,137	+128	1,286	+3	143	-17	565	-168	436	-1	7,659	+42	2,734	-19	47,384	+277
May-21	9,268	+75	923	0	12,264	+127	1,273	-13	148	+5	581	+16	437	+1	7,693	+34	2,726	-8	47,855	+471
Jun-21	9,314	+46	922	-1	12,140	-124	1,291	+18	148	0	585	+4	434	-3	7,709	+16	2,691	-35	48,053	+198
Jul-21	9,460	+146	925	+3	9,156	-2,984	1,294	+3	148	0	594	+9	436	+2	7,745	+36	2,655	-36	45,290	-2,763
Aug-21	9,549	+89	929	+4	9,495	+339	1,271	-23	149	+1	619	+25	439	+3	7,856	+111	2,670	+15	46,062	+772
Sep-21	9,598	+49	929	0	9,717	+222	1,265	-6	150	+1	632	+13	443	+4	7,916	+60	2,679	+9	46,585	+523

Top September changes were: Mental Health (+222); Therapist (+76); Personal Care Services (+64); Physician (+49); Clinic (+37); Advance Practice Nurse (+33); Optometrist (+13); and Physician Assistant (+8). These accounted for 96% of the increase. Dentist decreased the most with a loss of 6.



**November MAC  
Proposed Rules Amendment Summaries**

The following work folders were posted on the Oklahoma Health Care Authority (OHCA) public website for a public comment period.

**APA WF 21-22 Title XXI Dental Revisions for Pregnant Women** — The proposed revisions will amend policy to provide certain dental benefits to pregnant women covered under the Title XXI State Plan. The revisions are needed to comply with parity federal regulations which instruct the State to provide services that are medically necessary to the unborn child.

**Budget Impact:** The estimated budget impact for SFY2022 will be an increase in the total amount of \$185,934; with \$49,626 in state share. The estimated budget impact for SFY2023 will be an increase in the total amount of \$371,869; with \$98,731 in state share.

**Tribal Consultation: September 7, 2021**

**APA WF # 21-26 Afghan Refugees** - The proposed policy will update eligibility determinations related to Afghan nationals with certain immigration statuses entering the U.S. to align with federal law.

**Budget Impact:** The estimated budget impact for SFY 2022 will be an increase in the total amount of \$3,841,000; with \$889,082 in state share. The estimated budget impact for SFY 2023 will be an increase in the total amount of \$6,913,800; with \$1,894,554 in state share.

**Tribal Consultation: November 2, 2021**

**TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY  
CHAPTER 35. MEDICAL ASSISTANCE FOR ADULTS AND CHILDREN-  
ELIGIBILITY**

**SUBCHAPTER 22. PREGNANCY RELATED BENEFITS COVERED UNDER TITLE  
XXI**

**317:35-22-2.1 Non-covered services**

~~(a)~~ Services and benefits provided to evaluate and/or treat maternal conditions that are not related to or impact the pregnancy outcome.

~~(b) Dental.~~

DRAFT