

OKLAHOMA HEALTH CARE AUTHORITY
BOARD MEETING
October 11, 2007 at 1:00 pm
Chickasaw Nation
520 E. Arlington
ADA, OK
AGENDA

Items to be presented by Chairman Roggow

1. Call To Order/Determination of quorum - Lyle Roggow, Chairman
2. Action Item - Approval of August 15, 2007 and September 13, 2007 Board Minutes

Items to be presented by Mike Fogarty, CEO

3. Discussion Item - Chief Executive Officer's Report
 - a) Financial Update - Anne Garcia
 - b) SCHIP Update - Stephen Weiss
 - c) Medicaid Director's Update - Lynn Mitchell, M.D.
 - d) Insure Oklahoma/O-EPIC Marketing Contract Update - Nico Gomez
 - e) Announcement of CMS Transformation Grant Award for Online Enrollment - Derek Leiser

Item to be presented by Chairman Roggow

4. Discussion Item - Reports to the Board by Board Committees
Audit Finance Committee - Member Miller
Rules Committee - Member Roberts

Item to be presented by Juarez McCann, Chief Budget Officer

5. Discussion Item - Presentation of the State Fiscal Year 2009 Budget Request

Item to be presented by Nancy Nesser, J.D., D.Ph., Pharmacy Director

6. Action Item - Consideration and Vote Regarding Recommendations Made by the Drug Utilization Review Board Under 63 Oklahoma Statutes 5030.3.
 - a) Recommendation Regarding Conflicts of Interest Panel Concerning Recommendations of the Drug Utilization Review Board - Howard Pallotta, Director of Legal Services
 - b) Consideration and Vote to add the therapeutic category of ophthalmic antibiotic and antibiotic/steroid combination products to the Product Based Prior Authorization Program under 63 Oklahoma Statutes 5030.5.
 - c) Consideration and Vote to add the drug Brovana® to the Scope/Utilization-based prior authorization program under OAC 317: 30-5-77.2 (e).

Item to be presented by Cindy Roberts, Director of Program Integrity and Planning

7. Recommendation regarding Conflicts of Interest Panel regarding rules Howard Pallotta, Director of Legal Services
 - a) Action Item - Consideration and Vote Upon Declaration of Emergency Rules A-D as listed on Rules Agenda
 - b) Action Item - Consideration and Vote Upon Declaration of Substantive Rules A-D as listed on Rules Agenda

Item to be presented by Cindy Roberts, Chairperson of Rates and Standards Committee

8. Recommendation Regarding Conflicts of Interest Panel Concerning Recommendations of the Rates and Standards Committee Howard Pallotta, Director of Legal Services
 - a) Action Item - Consideration and Vote Upon a Rates and Standards Committee Recommendation to revise and increase the rates paid for Agency Companion (Employee) services and develop a new rate paid for Agency Companion (Contractor) services.

Item to be presented by Chairman Roggow

9. Proposed Executive Session as Recommended by the Director of Legal Services and Authorized by the Open Meetings Act, 25 Okla. State. §307(B)(1),(4)&(7)

Status of Pending Suits and Claims

Evans et al v. Fogarty, et al (Tenth Circuit Cases)
05-6130, 6106, 6110, 6112, 6122, 6358, 6359, 6361
Woodlawn Manor v. OHCA Sup.Ct.104353
Medlin v. OHCA CJ-2006-03624
Lemmings v. OHCA CJ-2006-1193
OFMQ v. DCS & OHCA Sup.Ct. 104741
Pharmcare v. OHCA Case No. 100429
Moorehead v. State CJ-07-1110
Sean Boone, D.O. v. OHCA CJ-2007-4468
New Directions Life Center, An Oklahoma Corp; and Dr. David
Linden, an Individual v. OHCA Case No. 05-9229
Oklahoma Chapter of the American Academy of Pediatrics, et al.
v. Mike Fogarty, et al. Case No. 06-1482
AHS Tulsa Regional Medical Center v. Fogarty 07 CV-338

10. New Business
11. Adjournment

**Next Board Meeting
November 8, 2007
Oklahoma Health Care Authority
Oklahoma City, OK**

Rules Agenda
October 11, 2007

I. Items subject to the Administrative Procedures Act (Emergency)

- A. Revising rules to exclude certain pregnancy related services from the Insure Oklahoma/O-EPIC Individual Plan benefit package. Excluded are: (1) services of an International Board Certified Lactation Consultant (IBCLC); (2) services of a Maternal and Infant Health Licensed Clinical Social Worker (MIHLCSW); and (3) enhanced services for medically high risk pregnancies. **(APA WF # 07-53)**

- B. Revising rules to allow certain exceptions for coverage of external breast prostheses. **(APA WF # 07-47)**

- C. Revising eligibility requirements to recognize children who reside in IHS, BIA, or Tribal controlled dormitories as residents of Oklahoma for SoonerCare eligibility purposes. **(APA WF # 07-50)**

- D. Revising rules to add pregnancy related benefits to improve health outcomes for children who are citizens at birth. **(APA WF # 07-58)**