



Ellen M. Buettner | Chief Executive Officer

J. Kevin Stitt | Governor

I/T/U Notice 2023-08

December 1, 2023

RE: Oklahoma Health Care Authority Proposed Rule Amendments

Dear Tribal Representative:

The purpose of this letter is to notify you of proposed changes that will be reviewed at the tribal consultation meeting scheduled for **January 2, 2024, at 11 a.m.** and that are currently reviewable on the agency's [Policy Change Blog](#) and the [Native American Consultation Page](#). If you have any questions or comments about the proposed policy changes, please use the online comment system. You may sign up for web alerts to be automatically notified when any new proposed policy changes are posted for comment.

The following proposed changes were consulted on previously as emergency rules; however, additional revisions to the emergency rule are being promulgated through the permanent rule process. The Agency's proposed permanent rules are scheduled to be presented for OHCA Board adoption on January 17, 2024; upon which, they will be submitted to the Legislature and Governor's office for approval. The below summaries describe the purpose of each change.

- **APA WF 23-20 ICF/IID Level of Care Evaluations for TEFRA Members** — Proposed revisions will clarify that IQ testing requirements to meet ICF/IID level of institutional care for TEFRA members above age 3 are at the discretion of the provider and that either an IQ test score or a functional assessment score is used to assess ICF/IID level of care for these members.
- **APA WF 23-09 Copay Exemption for Expansion Adults** — Proposed revisions will ensure opioid overdose reversal agents are included within policy as exempt from co-payments.
- **APA WF 23-06A&B Transition to SoonerSelect** — Proposed revisions will remove definitions for terms that are not used elsewhere in the chapter, add additional language regarding cost-sharing protections for members, and remove a section that could obligate members to payment recoupment for services provided during an appeal if an adverse benefit determination was made.

The OHCA values consultation with tribal governments and will strive to provide your representatives with timely information regarding our policy changes. We have also attached the draft rules for your review.

Sincerely,

Traylor Rains
State Medicaid Director



ADDRESS

4345 N. Lincoln Blvd.
Oklahoma City, OK 73105



WEBSITES

oklahoma.gov/ohca
mysoonerca.org



PHONE

Admin: 405-522-7300
Helpline: 800-987-7767