

OKLAHOMA HEALTH CARE AUTHORITY
BOARD MEETING
November 8, 2007 at 1:00 pm
Oklahoma Health Care Authority
4545 N. Lincoln Blvd., Suite 124
Oklahoma City, OK

AGENDA

Items to be presented by Vice-Chairman Hoffman

1. Call To Order/Determination of quorum - Wayne Hoffman, Vice-Chairman
2. Action Item - Approval of October 11, 2007 Board Minutes

Items to be presented by Mike Fogarty, Chief Executive Officer

3. Presentation of Employee of the Quarter - Jana Webb presenting Paula Lane
4. Discussion Item - Chief Executive Officer's Report
 - a) Financial Update - Anne Garcia
 - b) Medicaid Director's Update - Becky Pasternik-Ikard

Item to be presented by Vice-Chairman Hoffman

5. Discussion Item - Reports to the Board by Board Committees
Audit Finance Committee - Member Miller

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.(6).
 - 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 drug Lidoderm® 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-C as listed on Rules Agenda
 - b) Action Item - Consideration and Vote Upon Declaration of Substantive Rules A-C as listed on Rules Agenda

Item to be presented by Vice-Chairman Hoffman

8. 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
AHS Tulsa Regional Medical Center v. Fogarty 07 CV-338

Item to be presented by Vice-Chairman Hoffman

9. Action Item - Consideration and Vote upon board meeting dates, times, and places of the Oklahoma Health Care Authority for calendar year 2008.
10. New Business
11. Adjournment

**Next Board Meeting
December 13, 2007
OSU College of Medicine
Tulsa, OK**

Rules Agenda
November 8, 2007

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

- A. Rules are revised to allow SoonerCare providers to bill and receive payment for an evaluation and management service and an amniocentesis on the same date of service. **(APA WF # 07-51)**

- B. Rules are revised to implement Section 6021 of the Deficit Reduction Act regarding Long-Term Care Insurance Partnership programs. Rules regarding income and resource disregards are also amended to specifically address the following payments as allowable income or resource disregards when determining eligibility for SoonerCare services: (1) payments made to certain Vietnam veterans' children with spina bifida; (2) payments made to certain Korea service veterans' children with spina bifida; and (3) payments made to the children of women Vietnam veterans who suffer from certain birth defects. **(APA WF # 07-57)**

- C. Rules are revised to eliminate the requirement that the Medicare Explanation of Medicare Benefits be attached to the claim when submitted for reimbursement. **(APA WF # 07-65)**