

1 **SENATE FLOOR VERSION**

2 April 8, 2021

3 **AS AMENDED**

4 ENGROSSED HOUSE
5 BILL NO. 1012

6 By: Bush of the House

7 and

8 Garvin of the Senate

9 **[public health - Oklahoma Health Care Authority
10 contracts - transportation - statewide mobility
11 management program - codification - effective date]**

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 5009.7 of Title 63, unless there
15 is created a duplication in numbering, reads as follows:

16 A. It is the policy of this state that all state agencies with
17 an interest in public transit should ensure their programs are in
18 alignment with the Oklahoma Public Transit Policy Plan as mandated
19 by Sections 322 through 324 of Title 69 of the Oklahoma Statutes and
20 that state policy and program direction related to public transit
21 and transportation should ensure a coordinated public transit
22 network that meets the mobility needs of all Oklahomans in a safe,
23 reliable, consistent and economical manner.

1 B. The Oklahoma Health Care Authority, in contracting for
2 nonemergency medical transportation for Medicaid or SoonerCare
3 participants, shall not allow any existing contract to have or award
4 any new contract that will have a negative impact on the financial
5 stability of the state's public transit network as envisioned by the
6 Oklahoma Public Transit Policy Plan.

7 C. The Oklahoma Health Care Authority shall direct any entity
8 contracted to broker or schedule nonemergency medical transportation
9 for Medicaid or SoonerCare participants, whether such contract is
10 between the entity and the Oklahoma Health Care Authority or is an
11 entity subcontracted with an entity under contract with the Oklahoma
12 Health Care Authority, to purchase participants' transportation
13 through Oklahoma public transit systems, as defined by Sections
14 5307, 5310 and 5311 of Title 49 of the United States Code, in all
15 instances where public transit services are available to meet the
16 participants' needs in as cost-effective a manner as other
17 transportation providers meeting the same state and federal
18 regulations, safety and cleanliness standards, and education and
19 training standards as prescribed in subsection E of this section.
20 In purchasing such nonemergency medical transportation, the Oklahoma
21 Health Care Authority and any contracted or subcontracted entity
22 shall first respect the jurisdictional boundaries of such public
23 transit systems as defined by the Office of Mobility and Public
24 Transit at the Oklahoma Department of Transportation.

1 D. Any entity contracted to broker or schedule nonemergency
2 medical transportation for Medicaid or SoonerCare participants,
3 whether such contract is between the entity and the Oklahoma Health
4 Care Authority or is an entity subcontracted with an entity under
5 contract with the Oklahoma Health Care Authority, shall reasonably
6 collaborate with the entity implementing a statewide mobility
7 management program as envisioned by the Oklahoma Public Transit
8 Policy Plan and recognized by the public transit agencies in the
9 state to ensure such trips coordinate with public transit services
10 and human services transportation through the recognized statewide
11 mobility management program.

12 E. In order for any public transit provider or transportation
13 company to provide nonemergency medical transportation for Medicaid
14 or SoonerCare participants, such provider or company shall have a
15 valid certification from the Oklahoma Transit Association affirming
16 that the provider or company has met certain education and training
17 standards, adheres to all state and federal regulations, adheres to
18 industry safety and cleanliness standards and is based in this
19 state.

20 SECTION 2. This act shall become effective November 1, 2021.

21 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM
22 April 8, 2021 - DO PASS AS AMENDED
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