

Managed Medicaid Timeline

- June 2020 Oklahomans vote for Medicaid expansion with State Question 802. This is unrelated to managed Medicaid, and an entirely separate matter.
- October 2020 The Oklahoma Healthcare Authority (OHCA), at Gov. Kevin Stitt’s direction, issued a Request for Proposal (RFP) to private health care companies to submit bids to manage the state’s Medicaid program. The OHCA did this without legislative authority.
- January 2021 OHCA enters contracts with four multistate (and in one instance multinational) insurance companies to manage Oklahoma’s newly expanded Medicaid population, which is opposed nearly universally by all Oklahoma medical associations, including the OOA, OSMA, ODA, many specialty associations, nurses, etc.
- February 2021 OOA, OSMA, ODA, and others sue for an injunction to halt the implementation of the managed care contracts the OHCA has entered, arguing that the agency lacked the authority to enter them in the first place.
- May 2021 SB 131 became law without Governor Stitt’s signature on May 27, 2021, as a “guardrail” bill to put in place protective requirements and limitations on any Medicaid managed care program to be implemented by OHCA. The idea was to protect Medicaid providers and recipients from potential abuses by managed care organizations.
- June 2021 On June 1, 2021, the Oklahoma Supreme Court rules, in a 6 to 3 decision, in favor of our injunction and affirms OHCA did not have the authority to contract with the managed care organizations/insurance companies, rendering those contracts that SB 131 was intended to address null and void.
- According to the Senate author of SB 131, Sen. Greg McCortney, R-Ada, the bill “was written in a world where it was assumed, because of the governor’s actions that the governor had that authority, and so we were trying to reclaim the authority. Now if you read 131 in a world where the governor didn’t have the authority, I do think that some attorneys could read it as us giving the authority but that was never, ever the intent of the legislature.” The legislative intent of the bill was “never to give the governor a new authority to do managed care”.
- August 2021 Nevertheless, against the clear legislative intent of SB 131’s author, the OHCA at the instruction of Kevin Corbett and the Governor’s wishes, call an emergency meeting on August 26th, 2021, to adopt rules under the assertion that SB 131 gives authority to the OHCA to create rules to implement managed Medicaid. Kevin Corbett instructs the OHCA board members that in fact SB 131 demands they create these rules.
- The OHCA board members instead follow the advice of the Medical Advisory Council, the authors of SB 131, and others and vote 7 to 1 to table the emergency rules dealing with implementation of managed Medicaid. They do so while being talked over and interrupted by the OHCA’s on-staff attorney, despite the formal meeting setting.
 - The Governor, without addressing the reasons why, removes two medical doctors, Dr. Hausheer and Dr. Shamblin, from the board the following week, replacing them with lay persons. Dr. Hausheer and Dr. Shamblin both voted to table the managed Medicaid related rules. The OHCA board now has no medical doctors serving as members.

