

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1577

By: Lawson

6 AS INTRODUCED

7 An Act relating to state Medicaid program; requiring
8 coverage of medically necessary donor human milk-
9 derived products under certain conditions; requiring
10 certain reimbursement; directing promulgation of
rules; authorizing adoption of certain policy or
procedure; directing the Oklahoma Health Care
Authority to seek certain federal approval; providing
for codification; and providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified

15 in the Oklahoma Statutes as Section 5026.2 of Title 63, unless there
16 is created a duplication in numbering, reads as follows:

17 A. The Oklahoma Health Care Authority shall, to the extent
18 permissible under federal law and subject to the federal approval
19 described in subsection D of this section, provide Medicaid coverage
20 for medically necessary donor human milk-derived products in an
21 inpatient or outpatient setting for an infant whose gestationally
22 corrected age is under twelve (12) months; provided:

23 1. A physician, physician assistant, or Advanced Practice
24 Registered Nurse licensed in this state signs an order stating that

donor human milk-derived products are medically necessary for the infant Medicaid beneficiary due to any of the following:

- a. the infant has a birth weight of less than one thousand five hundred (1,500) grams or an infant body weight below healthy levels, as determined by the ordering provider,
- b. the infant's gestational age at birth was thirty-four (34) weeks or less, or
- c. the infant has any congenital or acquired condition for which the ordering provider determines that the use of donor human milk-derived products is medically necessary and will support the treatment and recovery of the infant; and

2. The donor human milk-derived products adhere to such quality standards as may be required by the Oklahoma Health Care Authority and.

B. Reimbursement under subsection A of this section for donor human milk-derived products for an infant in an inpatient setting shall be provided separately from the existing hospital payment for inpatient services.

C. The Board shall promulgate rules to implement the provisions of this section, and may adopt a policy or procedure to implement the provisions of this section while in the process of promulgating

1 rules; provided, such policy or procedure shall be posted on the
2 Internet website of the Authority prior to adoption of the policy.

3 D. The Authority shall seek any federal approval necessary to
4 implement this section.

5 SECTION 2. This act shall become effective November 1, 2025.
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