



April 19, 2019

The Honorable Michael Rogers
Oklahoma Secretary of State
2300 N. Lincoln Boulevard, Ste. 122
Oklahoma City, Oklahoma 73105-4897

Re: Initiative Petition

Dear Mr. Secretary:

Please accept for filing the enclosed copy of an initiative petition and suggested ballot title. The Petition requests that a proposed amendment to the Oklahoma Constitution, which would expand eligibility for Oklahoma's Medicaid program, be submitted to the voters at the next general election.

Very truly yours,

D. Kent Meyers
Roger A. Stong
Melanie Wilson Rughani
CROWE & DUNLEVY
Braniff Building
324 N. Robinson Ave., Ste. 100
Oklahoma City, OK 73102

Counsel for Proponents

cc: Oklahoma Attorney General

RECEIVED

APR 19 2019

**OKLAHOMA SECRETARY
OF STATE**

A PROFESSIONAL CORPORATION

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PROPOSED BALLOT TITLE

This measure adds a new Article to the Oklahoma Constitution. The new Article would expand Oklahoma's Medicaid program to include certain low-income adults between the ages of 18 and 65 whose income does not exceed 133% of the federal poverty level, as permitted under the federal Medicaid laws.

Shall the proposal be approved?

For the proposal - YES

Against the proposal - NO

A "YES" vote is a vote in favor of this measure. A "NO" vote is a vote against this measure.

FILED

State Question No. 802, Initiative Petition No. 419

APR 19 2019

WARNING

**OKLAHOMA SECRETARY
OF STATE**

IT IS A FELONY FOR ANYONE TO SIGN AN INITIATIVE OR REFERENDUM PETITION WITH ANY NAME OTHER THAN HIS OWN, OR KNOWINGLY TO SIGN HIS NAME MORE THAN ONCE FOR THE MEASURE, OR TO SIGN THE PETITION WHEN HE IS NOT A LEGAL VOTER.

INITIATIVE PETITION

To the Honorable J. Kevin Stitt, Governor of Oklahoma:

We, the undersigned legal voters of the State of Oklahoma, respectfully order that the following proposed amendment to the Constitution shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election, to be held on the 3rd day of November, 2020 (or at a special election as may be called by the Governor), and each for himself or herself says: I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence or post office are correctly written after my name. The time for filing this petition expires ninety (90) days from _____. The question we herewith submit to our fellow voters is:

Shall the following proposed new Article XXV-A to the Constitution be approved?

BE IT ENACTED BY THE PEOPLE OF OKLAHOMA THAT A NEW ARTICLE XXV-A TO THE OKLAHOMA CONSTITUTION BE APPROVED:

**CONSTITUTION OF OKLAHOMA, ARTICLE XXV-A –
MEDICAID EXPANSION**

SECTION 1. Definitions

As used in this Article:

- A. “Centers for Medicare and Medicaid Services” or “CMS” refers to the agency responsible for administering the Medicaid program at the federal level, including review and approval of State Plan Amendments.
- B. “Low Income Adults” refers to those individuals over age 18 and under age 65 whose income does not exceed one-hundred thirty-three percent (133%) of the federal poverty level, as described by and using the income methodology provided in the federal Medicaid statute at 42 U.S.C. § 1396a(a)(10)(A)(i)(VIII), and who meet applicable non-financial eligibility conditions for Medicaid under 42 CFR Part 435, Subpart E.
- C. “Medical assistance” means payment of part or all of the cost of the care and services, or the care and services themselves, or both, as provided in the federal Medicaid statute, 42 U.S.C. § 1396 et seq.
- D. “Oklahoma Health Care Authority” refers to the single State agency responsible for administering the Oklahoma Medicaid program pursuant to 42 U.S.C. § 1396a(a)(5).
- E. “State Plan Amendment” refers to the document(s) the State submits to the Centers for Medicare and Medicaid Services for review and approval before making a change to its program policies, including setting forth the groups of individuals to be eligible for medical assistance.

SECTION 2. Medicaid Expansion

A. In addition to those otherwise eligible for medical assistance under Oklahoma's Medicaid program, the State shall provide medical assistance under Oklahoma's Medicaid program to Low Income Adults.

B. No greater or additional burdens or restrictions on eligibility or enrollment shall be imposed on persons eligible for medical assistance pursuant to this Article than on any other population eligible for medical assistance under Oklahoma's Medicaid program.

SECTION 3. Implementation

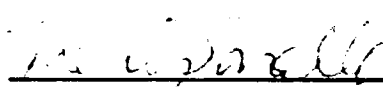
A. Within 90 days of approval of this Article, the Oklahoma Health Care Authority shall submit a State Plan Amendment and all other necessary documents to seek required approvals from the Centers for Medicare and Medicaid Services to include Low Income Adults as a coverage group in Oklahoma's Medicaid program beginning no later than July 1, 2021.

B. The Oklahoma Health Care Authority shall take all actions necessary to maximize federal financial participation in funding medical assistance pursuant to this Article.


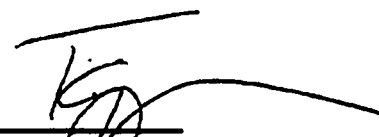
SECTION 4. Severability

The provisions of this Article are severable, and if any part or provision hereof shall be void, invalid, or unconstitutional, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions hereof, and the remaining provisions hereof shall continue in full force and effect.

Name and Address of Proponents



Kelly Smalley
106 S. 44th W. Ave.
Tulsa, OK 74127

Erin Taylor
3037 S.W. 66th St.
Oklahoma City, OK 73159

SIGNATURES

The gist of the proposition is as follows: This measure adds a new Article to the Oklahoma Constitution, which would expand Oklahoma's Medicaid program to include certain low-income adults between the ages of 18 and 65 whose income does not exceed 133% of the federal poverty level, as permitted under the federal Medicaid laws.

Restrictions on eligibility or enrollment for persons eligible for medical assistance as a result of this Article may be no greater than those on any other population eligible under Oklahoma's Medicaid program. The Article would require the Oklahoma Health Care Authority to submit a State Plan Amendment and other documents necessary to seek federal approval within 90 days, and to take all actions necessary to maximize federal financial participation in funding this medical assistance.

WARNING

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|-----|--------------------------|------------|---------|-------|-------|--------|
| 1. | _____ | _____ | _____ | _____ | _____ | _____ |
| | Signature of Legal Voter | Print Name | Address | City | Zip | County |
| 2. | _____ | _____ | _____ | _____ | _____ | _____ |
| | Signature of Legal Voter | Print Name | Address | City | Zip | County |
| 3. | _____ | _____ | _____ | _____ | _____ | _____ |
| | Signature of Legal Voter | Print Name | Address | City | Zip | County |
| 4. | _____ | _____ | _____ | _____ | _____ | _____ |
| | Signature of Legal Voter | Print Name | Address | City | Zip | County |
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| | Signature of Legal Voter | Print Name | Address | City | Zip | County |
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| 18. | _____ | _____ | _____ | _____ | _____ | _____ |
| | Signature of Legal Voter | Print Name | Address | City | Zip | County |
| 19. | _____ | _____ | _____ | _____ | _____ | _____ |
| | Signature of Legal Voter | Print Name | Address | City | Zip | County |
| 20. | _____ | _____ | _____ | _____ | _____ | _____ |
| | Signature of Legal Voter | Print Name | Address | City | Zip | County |

Michael Rogers
Secretary of State and Education



J. Kevin Stitt
Governor

OKLAHOMA SECRETARY OF STATE

FILED

APR 19 2019

**OKLAHOMA SECRETARY
OF STATE**

April 19, 2019

Kelly Smalley
106 S. 44th W. Ave.
Tulsa, Oklahoma 74127

Erin Taylor
3037 S.W. 66th St.
Oklahoma City, Oklahoma 73159

Dear Proponent(s):

This acknowledges receipt of the petition submitted to the Secretary of State office, which has been designated as **State Question Number 802, Initiative Petition Number 419** and filed accordingly this 19th day of April, 2019.

Per Title 34 O.S. Section 8, subsequent to the publication of the notice of filing of said petition, the apparent sufficiency or insufficiency thereof and notice that any citizen(s) of the state may file a protest as to the constitutionality of the petition, the Secretary of State will provide a notification to the proponent(s) of record, setting the date to begin circulation for signatures. The date set shall not be less than fifteen (15) days nor more than thirty (30) days from the date when all appeals, protests and rehearings have been resolved or the period for filing such has expired.

If I may provide any further assistance or should you have any questions, please do not hesitate to contact me.

Thank you,

A handwritten signature in black ink, appearing to read "Amy Canton".

Amy Canton
Director, Executive Legislative Division

Oklahoma Secretary of State Office
405.522.4565 / executivelegislative@sos.ok.gov