

EXPLAINER: House Bill 4440

What It Does, What It Risks, and Why It Matters

Heading back to the House for a vote on the Senate's amended version

Start Here: What Oklahoma Voters Decided in 2020

In June 2020, Oklahoma voters approved State Question 802, expanding Medicaid to cover low-income adults ages 18 to 64. More than 200,000 Oklahomans are now covered because of that vote -- people who previously had no path to health insurance.

Critically, voters did not just pass a law. They wrote the protection directly into the Oklahoma Constitution as Article XXV-A. That was intentional. A constitutional provision cannot be changed or repealed by the Legislature. It can only be changed by the voters themselves.

Article XXV-A does two things:

- It requires Oklahoma to provide Medicaid coverage to low-income adults.
- It prohibits the state from imposing greater burdens or restrictions on expansion enrollees than on any other Medicaid population -- meaning the Legislature cannot add work requirements, documentation requirements, or other eligibility barriers to this specific group.

Both of those protections have been in place since 2021. HB 4440 proposes to change both of them -- in two separate stages.

What HB 4440 Proposes: A Two-Stage Measure

HB 4440 is not a single simple question. It is a single ballot measure that contains two distinct legal actions with different triggers and different consequences.

Stage 1 -- Takes effect immediately if voters approve:

Amends Section 2 of Article XXV-A to remove the prohibition on imposing greater eligibility burdens on Medicaid expansion enrollees. The coverage requirement stays. But the constitutional ban on work requirements and other eligibility restrictions is gone -- before any federal funding threshold is crossed, before any trigger is met, effective the day the election results are certified.

Stage 2 -- Takes effect only if federal Medicaid matching funds drop below 90%:

All four sections of Article XXV-A are fully repealed from the Oklahoma Constitution. Medicaid expansion is moved to a regular state statute. The Legislature can amend, limit, or repeal coverage at any future session with no further vote of the people required.

Stage 1 happens regardless of what Congress does. Stage 2 depends on a federal funding threshold. But if Stage 2 is triggered, Stage 1 has already happened -- the prohibition was already gone.

Stage 1 in Plain Language: Work Requirements Become Possible Immediately

This is the part of HB 4440 that has no trigger and no condition.

Under current law: The Oklahoma Constitution prohibits imposing any greater eligibility requirements on Medicaid expansion enrollees than on any other Medicaid population. Work requirements are constitutionally blocked.

Under HB 4440 -- Stage 1: That prohibition is removed from the constitution the moment voters approve the measure. The Legislature can immediately begin pursuing work requirements, documentation requirements, or other eligibility barriers -- with no federal trigger required.

This matters because the One Big Beautiful Bill, signed into law on July 4, 2025, already imposed federal Medicaid work requirements at the national level -- requiring 80 hours per month of work, volunteering, or job training for able-bodied adults as a condition of coverage. If HB 4440 passes and removes the state constitutional prohibition, Oklahoma can align state law with federal requirements immediately.

Research from Arkansas -- the only state to fully implement Medicaid work requirements before a federal court struck them down -- found that more than 95% of people who lost coverage already met the requirements or qualified for an exemption. They lost coverage because of paperwork, not because they were not working. Employment did not increase by a single statistically significant measure.

Stage 2 in Plain Language: The FMAP Trigger

The federal medical assistance percentage, known as the FMAP, is the share of Medicaid costs the federal government pays. For Medicaid expansion enrollees, that rate is currently 90% -- meaning for every dollar Oklahoma spends on expansion coverage, the federal government pays 90 cents and Oklahoma pays 10 cents.

Stage 2 of HB 4440 activates the moment that rate drops below 90% -- even by a fraction of a percent. When it does:

- All four sections of Article XXV-A are automatically repealed from the Oklahoma Constitution.
- Medicaid expansion moves to a regular state statute.
- The statute contains no prohibition on work requirements or eligibility restrictions -- because that prohibition was already removed in Stage 1.

- The Legislature can amend, limit, or repeal the statute at any session. No vote of the people is required.
- The repeal is permanent -- even if the federal match later recovers above 90%.

This is not a hypothetical. The One Big Beautiful Bill already cut nearly \$1 trillion from Medicaid nationally. Further reductions to the federal matching rate remain possible. If Oklahoma's FMAP trigger is met, constitutional protection for 200,000+ Oklahomans ends automatically -- with no action required by the Legislature and no recourse for Oklahomans who lose coverage.

How the Ballot Title Describes This Measure

The ballot title voters will see reads as follows:

"This measure amends Section 2 of Article 25-A of the Oklahoma Constitution. It would remove the prohibition against enacting additional restrictions on eligibility for Medicaid. Additionally, if federal funding for the Medicaid expansion population drops below 90%, this measure will repeal Sections 1, 2, 3, and 4 of Article 25-A of the Oklahoma Constitution and will enact substantially the same language related to Medicaid expansion from the repealed constitutional provisions into the Oklahoma Statutes. The statutes could be amended, repealed, or otherwise modified by the Legislature pursuant to the same procedures that allow enactment of laws during any regular or extraordinary session of the Legislature."

This ballot title is notably more candid than earlier versions of this bill. It explicitly states that the measure removes the prohibition on eligibility restrictions. Voters who read it carefully will understand that work requirements become possible upon approval -- not just if federal funding drops.

How HB 4440 and HJR 1067 Work Together

Both measures affect the same constitutional protection. A yes vote on either one weakens or removes it. Both may appear on the November 2026 general election ballot at the same time.

HB 4440 on the November ballot: Removes the work requirement prohibition immediately, and fully repeals the constitutional protection if the FMAP trigger is met.

HJR 1067 on the November ballot: Makes no immediate change, but ends the constitutional duty to cover expansion enrollees automatically and permanently if the FMAP drops below 90%. The prohibition on work requirements survives in HJR 1067.

If both pass: HB 4440 controls. HJR 1067 contains language making it void if HB 4440 is approved by voters. HJR 1067 is the fallback -- it only takes effect if HB 4440 fails.

If neither passes: SQ 802 remains fully intact. Medicaid expansion stays in the Oklahoma Constitution with all protections.

Who Is Affected

More than 200,000 Oklahomans are currently covered by Medicaid expansion. They include:

- Working adults in jobs that do not offer employer-sponsored health insurance
- People managing serious or chronic illness, including cancer patients in active treatment
- Oklahomans in substance abuse recovery programs
- Rural residents whose nearest provider depends on Medicaid reimbursements to stay open
- Adults who do not qualify for traditional Medicaid but also cannot afford private insurance
- Veterans and their family members who fall within the income threshold

Rural hospitals across Oklahoma depend on Medicaid expansion reimbursements. The Oklahoma Hospital Association has expressed concern that removing the constitutional protection opens the door to coverage changes that could threaten hospital viability in communities that are already medically underserved.

The Bottom Line

HB 4440 does two things if voters approve it. It removes the constitutional prohibition on work requirements and eligibility restrictions immediately -- with no conditions and no trigger. And it sets up full repeal of Medicaid expansion's constitutional protection the moment federal funding dips below 90%.

Stage 1 is the more significant change. Work requirements become constitutionally permissible the day the election is certified, regardless of what happens with federal funding. The One Big Beautiful Bill has already created the federal framework for those requirements.

Stage 2 ends what Stage 1 left standing. If the FMAP trigger is met, the entire constitutional framework built by SQ 802 is gone -- permanently, even if federal funding later recovers.

Oklahomans already voted on this. They chose to write Medicaid expansion into the constitution because they wanted it protected. HB 4440 asks them to hand that protection back -- in two stages, beginning on the day they vote yes.