

ENGROSSED HOUSE
BILL NO. 1615

BY: SEIKEL of the HOUSE

and

WEEDN of the SENATE

AN ACT RELATING TO POOR PERSONS; AUTHORIZING AND DIRECTING THE DEPARTMENT OF HUMAN SERVICES TO PROCURE GROUP HEALTH INSURANCE FOR CERTAIN PERSONS; PROVIDING CERTAIN ELIGIBILITY; PROVIDING FOR NONELIGIBLE MEMBERS; AMENDING 56 O.S. 1981, SECTION 333, AS RENUMBERED BY SECTION 48, CHAPTER 312, O.S.L. 1982, AND AS AMENDED BY SECTION 19, CHAPTER 326, O.S.L. 1988 (10 O.S. SUPP. 1990, SECTION 1423), WHICH RELATES TO CERTAIN PROGRAMS; AMENDING 63 O.S. 1981, SECTION 485.3, AS AMENDED BY SECTION 4, CHAPTER 222, O.S.L. 1988 (63 O.S. SUPP. 1990, SECTION 485.3), WHICH RELATES TO POWERS AND DUTIES OF OKLAHOMA CEREBRAL PALSY COMMISSION; CHANGING NAME OF "CRIPPLED CHILDREN'S PROGRAM" TO "CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM"; REPEALING 10 O.S. 1981, SECTION 175.2, WHICH RELATES TO CERTAIN TRANSFER; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 201.1 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. The Department of Human Services is hereby authorized and directed to procure group health insurance plans for all Medicaid recipients in this state, in any of the forms customarily issued by an insurance company or association authorized to do business in this state, if it is available and cost effective. Enrollment in the group health plan shall be a condition of eligibility for Medicaid benefits except for a child if a parent fails to enroll the child.

B. The Department shall allow for the payment of premiums for non-eligible family members in a group health plan if it is not possible to enroll only Medicaid eligible members and it is cost effective to enroll the entire family.

SECTION 2. AMENDATORY 56 O.S. 1981, Section 333, as renumbered by Section 48, Chapter 312, O.S.L. 1982, and as amended by Section 19, Chapter 326, O.S.L. 1988 (10 O.S. Supp. 1990, Section 1423), is amended to read as follows:

Section 1423. The Commission and the Department are authorized and directed to develop such programs for the care and treatment of children to meet the requirements of Federal Laws and Rules and Regulations of the Secretary. The Commission shall maintain such standards of money payments in the categories of Old Age Assistance, Aid to the Blind, Aid to the Permanently and Totally Disabled, and Aid to Families with Dependent Children, as will earn the maximum federal funds available to the state, within the availability of state matching funds, and shall budget such other state funds as may be necessary to earn the maximum of federal matching funds in the Child Welfare Program, ~~Crippled Children's Program~~ Children With Special Health Care Needs Program and other Federal-State Programs. Any institution under the jurisdiction of the Commission or the

Department may be used by the Commission or the Department for any program administered by the Commission or the Department.

SECTION 3. AMENDATORY 63 O.S. 1981, Section 485.3, as amended by Section 4, Chapter 222, O.S.L. 1988 (63 O.S. Supp. 1990, Section 485.3), is amended to read as follows:

Section 485.3 A. The Oklahoma Cerebral Palsy Commission is hereby authorized and empowered to:

1. Establish and maintain the J.D. McCarty Center for Handicapped Children, and furnish care and maintenance, training, treatment, equipment, education and rehabilitation of persons afflicted with cerebral palsy and other developmental disabilities within said institute;

2. Enter into contracts for the purchase of real estate or other property and to buy or sell real estate, personal property and equipment necessary or incidental to the carrying out of the provisions of this act;

3. Enter into contracts with the Oklahoma Public Welfare Commission and with other agencies of the state and of the counties in furtherance of the provisions of this act, provided the Oklahoma Cerebral Palsy Commission shall receive from the Oklahoma Public Welfare Commission payments aggregating a minimum of One Hundred Thousand Dollars (\$100,000.00) annually from funds set aside in the ~~Crippled Children's Program~~ Children With Special Health Care Needs Program, and provided further, the Commission may negotiate with the Oklahoma Public Welfare Commission or its successors for additional payments above One Hundred Thousand Dollars (\$100,000.00) from said funds.

B. The Commission shall be charged with the duties of management and control of the J.D. McCarty Center for Handicapped Children and shall:

1. Have power to sue or be sued in its own name; and

2. Obtain and pay for an annual audit of the books and records of the J.D. McCarty Center for Handicapped Children, conducted by the Office of the State Auditor and Inspector or by a qualified, independent auditor in conformance with standards and guidelines established by the State Auditor and Inspector.

SECTION 4. REPEALER 10 O.S. 1981, Section 175.2, is hereby repealed.

SECTION 5. This act shall become effective September 1, 1991.

Passed the House of Representatives the 6th day of March, 1991.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1991.

President of the Senate