

ENGROSSED HOUSE
BILL NO. 1379

By: Seikel of the House
and
Monson of the Senate

An Act relating to public health and safety; amending Section 3, Chapter 139, O.S.L. 1992 (63 O.S. Supp. 1994, Section 1-1961), which relates to the Home Care Act; excluding certain individuals from scope of definition; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 3, Chapter 139, O.S.L. 1992 (63 O.S. Supp. 1994, Section 1-1961), is amended to read as follows:

Section 1-1961. As used in the Home Care Act:

1. "Board" means the State Board of Health;
2. "Certification" means verification of appropriate training and competence for the provision of personal care;
3. "Department" means the State Department of Health;
4. "Home care agency" means any sole proprietorship, partnership, association, corporation or other organization which administers, offers or provides home care services, for a fee or pursuant to a contract for such services, to clients in their place of residence. The term "home care agency" shall not include any individual who provides such services to persons in their own homes as an employee or contract provider of the Nontechnical Medical Care

Program of the Oklahoma Department of Human Services. However, such individuals shall not be exempt from certification as a Home Health Aide;

5. "Home care services" means skilled or personal care services provided to clients in their place of residence for a fee;

6. "Home health aide" means an individual who provides personal care to clients in their temporary or permanent place of residence for a fee;

7. "Personal care" means assistance with dressing, bathing, ambulation, exercise or other personal needs; and

8. "Skilled care" means home care services performed on a regular basis by a trained Respiratory Therapist/Technician or by a person currently licensed by this state, including but not limited to a Licensed Practical Nurse, Registered Nurse, Physical Therapist, Occupational Therapist, Speech Therapist, or Social Worker.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 27th day of February, 1995.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1995.

President of the Senate