

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1267

By: Hilliard

AS INTRODUCED

An Act relating to soldiers and sailors; amending 72 O.S. 1991, Section 63.5, as amended by Section 1, Chapter 204, O.S.L. 1992 (72 O.S. Supp. 1996, Section 63.5), which relates to collections from eligible patients and members for care and maintenance; prohibiting certain homesteads as income for purposes of calculating certain care and maintenance costs; and declaring an emergency.

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

SECTION 1. AMENDATORY 72 O.S. 1991, Section 63.5, as amended by Section 1, Chapter 204, O.S.L. 1992 (72 O.S. Supp. 1996, Section 63.5), is amended to read as follows:

Section 63.5 The War Veterans Commission is hereby authorized to make collections from eligible patients and members for care and maintenance. Payments shall be established in the following manner:

1. All sources of personal income, except wages of a working spouse, except as provided in this section, and except urban homesteads and rural homesteads as defined in section 2888 of Title 68 of the Oklahoma Statutes, shall be considered when computing care

and maintenance charges, including pensions and awards for aid and attendance from the Veterans Administration;

2. Care and maintenance charges shall be computed in a manner to maximize the Veterans Administration pension and compensation benefits to which the veteran is entitled and shall allow a veteran to retain not less than One Hundred Fifty Dollars (\$150.00) per month of total monthly income;

3. The care and maintenance charge shall not exceed the full cost of care minus the Veterans Administration per diem payment;

4. Spouses, widows and widowers of eligible war veterans are authorized to be admitted and maintained in the Oklahoma veterans centers. The facilities admitting and maintaining spouses, widows and widowers shall make collections from said spouses, widows and widowers first and to the fullest extent from sources of income other than pension and compensation paid by the Veterans Administration; and

5. The claim of the state for such care and maintenance shall constitute a valid indebtedness against any such patient or member and his or her estate and shall not be barred by any statute of limitations except as otherwise allowed by the Oklahoma Indigent Health Care Act. At the death of the patient or member, this claim shall be allowed and paid as other lawful claims against the estate. Provided, no admission or detention of a patient in an Oklahoma veterans center shall be limited or conditioned in any manner by the lack of ability to pay of a patient or member, his or her estate, or any relative of the patient or member. Any monies collected by the provisions of this section shall be deposited in the Department of Veterans Affairs Revolving Fund.

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.

46-1-6034

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