

By: Robinson of the Senate
and
Seikel of the House

An Act relating to poor persons; providing for representatives to act on behalf of specified Medicaid beneficiaries for purposes of Medicaid enrollment; specifying classes of persons authorized to act in such capacity and their order of priority; 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 1010.13 of Title 56, unless there is created a duplication in numbering, reads as follows:

A Medicaid beneficiary, including one enrolled in a fully or partially capitated managed care delivery model pursuant to the provisions of Section 1010.3 of Title 56 of the Oklahoma Statutes, who is not medically or legally competent may have another act on such beneficiary's behalf for purposes of enrollment into Medicaid. A person so authorized shall be a member of one of the following classes of persons, in the following order of priority:

1. An authorized representative pursuant to the provisions of 20 U. S. Code of Federal Regulations, Sections 404.175 through 404.1707;

2. The appointed guardian of the beneficiary, if any;

3. The individual, if any, to whom the beneficiary has given a durable power of attorney that encompasses the authority to make health care decisions;

4. The beneficiary's spouse;

5. A child of the beneficiary who is at least eighteen (18) years of age;

6. A parent of the beneficiary; or

7. A brother or sister of the beneficiary who is at least
eighteen (18) years of age.

SECTION 2. This act shall become effective November 1, 1999.

Passed the Senate the 22nd day of February, 1999.

President of the Senate

Passed the House of Representatives the ____ day of _____ ,
1999.

Speaker of the House of
Representatives