

EHB 1484

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

THE STATE SENATE
Tuesday, April 3, 2001

ENGROSSED
House Bill No. 1484
As Amended

ENGROSSED HOUSE BILL NO. 1484 - By: LINDLEY, COVEY, EASLEY, GILBERT,
MILLER (Ray), NATIONS, ROAN, TOURE and WALKER of the House and
MUEGGE of the Senate.

[persons with disabilities - Oklahoma Ticket to Work and
Work Incentives Improvement Act - Ticket to Work and Self-
Sufficiency Program - codification -
emergency]

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 166.8 of Title 74, unless there
is created a duplication in numbering, reads as follows:

A. Sections 1 through 6 of this act shall be known and may be
cited as the "Oklahoma Ticket to Work and Work Incentives
Improvement Act", as authorized by Section 1305 et seq., 42 U.S.C.,
the federal Ticket to Work and Work Incentives Improvement Act of
1999, Public Law 106-170.

B. The purposes of this act are as follows:

1. To provide employment and training preparation, placement
services and health care coverage to working individuals with
disabilities by enabling them to reduce their dependency on Social

1 Security Disability Insurance or Supplemental Security Income cash
2 benefit programs;

3 2. To provide individuals with disabilities who receive
4 Supplemental Security Income cash benefits the ability to purchase
5 Medicaid coverage enabling them to maintain health care coverage
6 while working; and

7 3. To ensure that programs and services provided to persons
8 with disabilities produce productive outcomes.

9 C. As used in this section, "Medicaid" means the medical
10 assistance program established in Title XIX of the Social Security
11 Act, 42 U.S.C.A., Section 1396 et seq., and administered in this
12 state by the Oklahoma Health Care Authority.

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 166.9 of Title 74, unless there
15 is created a duplication in numbering, reads as follows:

16 The Oklahoma Legislature recognizes the following findings:

17 1. It is important to support programs that provide training
18 and employment services to individuals with disabilities in order to
19 help them lead productive work lives;

20 2. Health care coverage is important to all individuals and is
21 particularly important to individuals with disabilities who often
22 cannot afford the insurance available to them through the private
23 market;

1 3. Many individuals with disabilities fear losing health care
2 coverage, including necessary support services, which ultimately
3 hinders the individuals from maximizing their employment, earning
4 potential, and independence;

5 4. Many Social Security Disability Insurance and Supplemental
6 Security Income beneficiaries risk losing Medicare or Medicaid
7 coverage that is linked to their existing cash benefits, a risk that
8 is an equal, or greater, work disincentive than the loss of cash
9 benefits associated with obtaining work;

10 5. Many individuals with disabilities have greater
11 opportunities for employment than ever before, aided by important
12 public policy initiatives such as the Americans with Disabilities
13 Act of 1990 (42 U.S.C. 12101 et seq.), advancements in public
14 understanding of disability, and innovations in assistive
15 technology, medical treatment, and rehabilitation; and

16 6. Creating financial incentive work programs, providing better
17 choices in obtaining training and placement services, maintaining
18 health care coverage while working, and redesigning existing
19 service-related programs may eliminate barriers to work for persons
20 with disabilities and may greatly improve their short- and long-term
21 financial and personal well-being.

1 SECTION 3. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 166.10 of Title 74, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The State Department of Rehabilitation Services, pursuant to
5 rules promulgated by the Commission for Rehabilitation Services,
6 shall establish a "Ticket to Work and Self-Sufficiency Program".
7 The purpose of the Ticket to Work and Self-Sufficiency Program is to
8 enhance the range of choices and options available to Social
9 Security Disability Insurance and Supplemental Security Income
10 disability beneficiaries who are seeking vocational rehabilitation
11 services to obtain and maintain employment opportunities.

12 B. Components of the Ticket to Work and Self-Sufficiency
13 Program pursuant to federal Ticket to Work and Work Incentives
14 Improvement Act of 1999 shall include, but not be limited to:

- 15 1. Program participation guidelines, eligibility requirements,
16 and program performance standards;
- 17 2. Requirements for periodic quality assurance reviews and
18 customer service satisfaction surveys; and
- 19 3. Requirements for a dispute resolution process.

20 SECTION 4. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 166.11 of Title 74, unless there
22 is created a duplication in numbering, reads as follows:

1 The Commission for Rehabilitation Services shall promulgate any
2 rules necessary to implement provisions of the Oklahoma Ticket to
3 Work and Work Incentives Improvement Act regarding the Ticket to
4 Work and Self-Sufficiency Program.

5 SECTION 5. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 166.12 of Title 74, unless there
7 is created a duplication in numbering, reads as follows:

8 On or before January 15, 2002, the Department of Rehabilitation
9 Services shall prepare a summary report of the Ticket to Work and
10 Self-Sufficiency Program's findings and results to be submitted to
11 the Speaker of the House of Representatives, the President Pro
12 Tempore of the Senate and the Governor.

13 SECTION 6. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 5000.24 of Title 63, unless
15 there is created a duplication in numbering, reads as follows:

16 A. The Oklahoma Health Care Authority, following directives of
17 and upon approval of the Health Care Financing Administration, is
18 directed to implement a Medicaid Buy-In Program for persons with
19 disabilities. Components of such program shall include, but not be
20 limited to:

21 1. Allowing individuals with disabilities who are sixteen (16)
22 years of age and over, but under sixty-five (65) years of age, and
23 who, except for earned income, would be eligible to receive

1 Supplemental Security Income (SSI) benefits, regardless of whether
2 they have ever received Supplemental Security Income (SSI) cash
3 benefits, the option of purchasing Medicaid coverage that will
4 enable individuals with disabilities to gain and/or maintain
5 employment and reduce their dependency on existing cash benefit
6 programs;

7 2. Removing work disincentives that inhibit individuals with
8 disabilities from engaging in work that is commensurate with their
9 abilities and capabilities;

10 3. Developing an infrastructure within and outside state
11 government that supports efforts to enhance employment opportunities
12 for individuals with disabilities; and

13 4. Ensuring meaningful input in the design, implementation, and
14 evaluation of programs, policies, and procedures developed under
15 such program by individuals with disabilities and other interested
16 parties.

17 B. The Oklahoma Health Care Authority Board shall promulgate
18 any regulations necessary to implement provisions of the Oklahoma
19 Ticket to Work and Work Incentives Improvement Act regarding the
20 Medicaid Buy-In Program.

21 SECTION 7. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 5000.25 of Title 63, unless
23 there is created a duplication in numbering, reads as follows:

1 A. The Oklahoma Health Care Authority, upon approval of the
2 Health Care Financing Administration, is directed to develop a
3 results-based funding pilot project for eligible persons who
4 participate in the Oklahoma Medicaid program and who are currently
5 receiving outpatient behavioral health services.

6 B. As used in this section:

7 1. "Results-based funding" means an approach which emphasizes
8 performance outcome measures, accountability of programmatic
9 results, program results showing cost efficiency and effectiveness
10 for the delivery of such program service, and consumer choice and
11 satisfaction; and

12 2. "Medicaid" means the medical assistance program established
13 in Title XIX of the Social Security Act, 42 U.S.C.A., Section 1396
14 et seq., and administered in this state by the Oklahoma Health Care
15 Authority.

16 SECTION 8. It being immediately necessary for the preservation
17 of the public peace, health and safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

20 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-28-01 - DO
21 PASS, As Amended.