

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1066

By: Mitchell

AS INTRODUCED

An Act relating to poor persons; amending Section 11, Chapter 407, O.S.L. 1997 (56 O.S. Supp. 2000, Section 1025.1), which relates to developmentally disabled; clarifying language; and providing an effective date.

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

SECTION 1. AMENDATORY Section 11, Chapter 407, O.S.L. 1997 (56 O.S. Supp. 2000, Section 1025.1), is amended to read as follows:

Section 1025.1 For the purposes of this chapter:

1. "Bureau" means the Oklahoma State Bureau of Investigation;

2. "Commission" means the Commission for Human Services;

3. "Community services provider" or "provider" means a community-based program, corporation, or individual who contracts with, or is licensed or funded by, the Department of Human Services to provide residential or vocational services to persons with mental retardation or developmental disabilities, or contracts with the Oklahoma Health Care Authority to provide services to individuals with mental retardation through the Home and Community-Based Waiver, except a private ~~ICF/MR~~ Intermediate Care Facility for the Mentally Retarded;

4. "Community services worker" or "worker" means any person employed by or under contract with a community services provider to provide, for compensation or as a volunteer, health-related services, training, or supportive assistance to persons with developmental disabilities, and who is not a licensed health professional;

5. "Department" means the Department of Human Services;

6. "Developmental disability" means a severe, chronic disability of a person which:
- a. is attributable to a mental or physical impairment or combination of mental and physical impairments, such as mental retardation, cerebral palsy, or autism,
  - b. is manifested before the person attains twenty-two (22) years of age,
  - c. is likely to continue indefinitely,
  - d. results in substantial functional limitations in three or more of the following areas of major life activity:
    - (1) self-care,
    - (2) receptive and expressive language,
    - (3) learning,
    - (4) mobility,
    - (5) self-direction,
    - (6) capacity for independent living, and
    - (7) economic self-sufficiency, and
  - e. reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated;

7. "Health-related services" means those services provided by community services providers or community services workers to persons with developmental disabilities that include, but are not limited to, ~~the following~~: personal hygiene, transferring, range of motion, supervision or assistance in activities of daily living, basic nursing care such as taking temperature, pulse or respiration, positioning, incontinent care, identification of signs and symptoms of disease; and

8. "Supportive assistance" means the service rendered to persons with developmental disabilities which is sufficient to enable such person to meet an adequate level of daily living. Supportive assistance includes, but is not limited to, training, supervision, assistance in housekeeping, assistance in the preparation of meals, assistance in the safe storage, distribution and administration of medications, and assistance in personal care as necessary for the health and comfort of persons with developmental disabilities.

SECTION 2. This act shall become effective November 1, 2000.

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