

ENGROSSED HOUSE
BILL NO. 2907

By: Peterson (Ron) and Terrill
of the House

and

Leftwich of the Senate

An Act relating to nursing homes; creating the Task Force on Nursing Home Insurance Access; providing for membership; providing for appointment of cochairs; providing for travel reimbursement; providing for administrative support; providing for duties; requiring certain report; providing for codification; and declaring an emergency.

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 1-821.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created, to continue until February 1, 2007, the "Task Force on Nursing Home Insurance Access".

B. The Task Force shall consist of sixteen (16) members:

1. Five members shall be appointed by the Speaker of the Oklahoma House of Representatives as follows:

- a. one member who represents the insurance industry,
- b. one member who represents a nursing home facility,
- c. one member who is a practicing attorney in insurance and medical malpractice law,
- d. one member who has experience in health economics, and
- e. one member of the Oklahoma House of Representatives appointed by the Speaker of the House of Representatives;

2. Five members shall be appointed by the President Pro Tempore of the State Senate as follows:

- a. one member who is a practicing attorney in the area of elder or health care law,
- b. one member who represents a statewide elder justice organization,
- c. one member who represents the insurance industry,
- d. one member who represents a nursing home facility, and
- e. one member of the State Senate appointed by the President Pro Tempore of the State Senate;

3. The Director of the Department of Human Services, or a designee;

4. The Director of the State Department of Health, or a designee;

5. The President of the Oklahoma Association of Health Care Providers, or a designee;

6. The Commissioner of the Oklahoma Insurance Department, or a designee;

7. The President of the Oklahoma Association of Home Care, or a designee; and

8. The Director of the Oklahoma Health Care Authority, or a designee.

C. The appointed member from the Oklahoma House of Representatives and the appointed member from the State Senate shall serve as cochairs of the Task Force. The cochairs shall convene the first meeting of the Task Force. The members of the Task Force shall elect any other officers during the first meeting and upon a vacancy in any office. The Task Force shall meet as often as necessary.

D. Appointments to the Task Force shall be made by July 1, 2006.

E. A majority of the members of the Task Force shall constitute a quorum. A majority of the members present at a meeting may act for the Task Force.

F. Nonlegislative members of the Task Force shall be reimbursed by their respective agencies for necessary travel expenses incurred in the performance of duties pursuant to the provisions of the State Travel Reimbursement Act. Legislative members of the Task Force shall be reimbursed for necessary travel expenses incurred in the performance of duties in accordance with the provisions of Section 456 of Title 74 of the Oklahoma Statutes.

G. Administrative support for the Task Force including, but not limited to, personnel necessary to ensure the proper performance of the duties and responsibilities of the Task Force, shall be provided by the Oklahoma Health Care Authority to be supplemented, if necessary, by the state agencies involved in the Task Force, and the staff of the House of Representatives and the State Senate. All participating state agencies shall provide for any administrative support requested by the Task Force.

H. The Task Force shall develop recommendations for providing greater access to liability insurance coverage for nursing home facilities including, but not limited to, improved enforcement of nursing home quality standards, affordable premiums, risk management, alternative forms of insurance, and strengthened regulation of the insurance industry.

I. The Task Force shall publish a report of findings and recommendations by February 1, 2007, including recommendations for any resulting legislation.

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 8th day of March, 2006.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2006.

Presiding Officer of the Senate