

3 **Senate Bill No. 1615**
4 **As Amended**

5 SENATE BILL NO. 1615 - By: JOHNSON (Constance) of the Senate and
6 SHUMATE of the House.

7 [**public health and safety - legislative intent - waiver**
8 **applications - periodic evaluation - codification -**
9 **effective date]**

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

11 SECTION 1. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 1-899.2 of Title 63, unless
13 there is created a duplication in numbering, reads as follows:

14 A. It is the intent of the Legislature to develop options that
15 allow elderly and disabled individuals maximum choice in determining
16 their living arrangements, including the choice to remain in the
17 least restrictive environment possible. It is further the intent of
18 the Legislature to ensure that elderly and disabled individuals have
19 access to appropriate health care and personal assistance,
20 regardless of their income level or choice of living arrangement.

21 B. Subject to the availability of funds, the Oklahoma Health
22 Care Authority shall establish and maintain a program that requires
23 a waiver of federal law to provide an assisted living benefit to
24 beneficiaries under the Medicaid program. The program developed

1 pursuant to this section shall be known as the waiver program for
2 purposes of this section.

3 C. The Oklahoma Health Care Authority shall submit any
4 necessary waiver applications or modifications to implement the
5 waiver program, and shall implement the waiver program only to the
6 extent that federal financial participation is available.

7 D. The waiver program shall cover or supplement costs
8 associated with the services of a licensed assisted living center as
9 authorized and defined in Section 1-890.1 et seq. of Title 63 of the
10 Oklahoma Statutes.

11 E. The Oklahoma Health Care Authority Board shall promulgate
12 rules as necessary to implement the waiver program that shall
13 include, but not be limited to:

- 14 1. Eligibility requirements; and
- 15 2. Coverage and exclusions.

16 F. The Oklahoma Health Care Authority shall periodically
17 evaluate the effectiveness of the waiver program and make
18 recommendations to the Legislature for changes and improvements.

19 SECTION 2. This act shall become effective November 1, 2006.

20 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-22-06 - DO
21 PASS, As Amended and Coauthored.