

THE HOUSE OF REPRESENTATIVES  
Monday, March 3, 2008

Committee Substitute for  
House Bill No. 2703

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2703 - By: STEELE, MCAFFREY  
AND PITTMAN of the House and \_\_\_\_\_ of the Senate.

( Poor persons - Consumer Protection for Wheeled Mobility Act - defining  
terms - codification - effective date -  
emergency )

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

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma  
2 Statutes as Section 1015.1 of Title 56, unless there is created a duplication in numbering,  
3 reads as follows:

4 This act shall be known and may be cited as the “Consumer Protection for Wheeled  
5 Mobility Act”.

6 SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma  
7 Statutes as Section 1015.2 of Title 56, unless there is created a duplication in numbering,  
8 reads as follows:

9 As used in the Consumer Protection for Wheeled Mobility Act:

- 10 1. “Assistive technology practitioner” or “ATP” means a for-service provider who is  
11 involved in analysis of the needs and training of a consumer in the use of a particular  
12 assistive technology device;

1           2. “Assistive technology supplier” or “ATS” means a service provider involved in the  
2 sale and service of rehabilitation equipment or commercially available assistive  
3 technology products and devices;

4           3. “RESNA” means the Rehabilitation Engineering and Assistive Technology  
5 Society of North America; and

6           4. “Specialty evaluation” means the determination and documentation of the  
7 consumer’s pathology, history and prognosis, and the physiological, functional, and  
8 environmental factors that impact the selection of an appropriate wheeled mobility  
9 system.

10           SECTION 3.   NEW LAW   A new section of law to be codified in the Oklahoma  
11 Statutes as Section 1015.3 of Title 56, unless there is created a duplication in numbering,  
12 reads as follows:

13           A. For Medicaid claims with dates of service on or after April 1, 2009, on all  
14 purchased wheeled mobility systems, the patient shall have:

15           1. A specialty evaluation that was performed by a licensed or certified medical  
16 professional, such as a physical therapist, occupational therapist, or physician who has  
17 specific training and experience in rehabilitation wheelchair evaluations, and that  
18 documents the medical necessity for the wheelchair and its special features;

19           2. The requirement that the wheelchair shall be provided by a supplier that  
20 employs a RESNA-certified assistive technology supplier or assistive technology  
21 practitioner who specializes in wheelchairs and who has direct, in-person involvement in  
22 the wheelchair selection for the patient; and

1           3. Met the requirements for medical necessity as determined and approved by the  
2 Oklahoma Health Care Authority.

3           B. The Oklahoma Health Care Authority shall promulgate rules to implement the  
4 Consumer Protection for Wheeled Mobility Act in accordance with the Consumer  
5 Protection for Wheeled Mobility Act.

6           SECTION 4. This act shall become effective July 1, 2008.

7           SECTION 5. It being immediately necessary for the preservation of the public  
8 peace, health and safety, an emergency is hereby declared to exist, by reason whereof  
9 this act shall take effect and be in full force from and after its passage and approval.

10 COMMITTEE REPORT BY: COMMITTEE ON HUMAN SERVICES, dated 02-28-08 -  
11 DO PASS, As Amended and Coauthored.