

EHB 2703

THE STATE SENATE
Monday, April 7, 2008

ENGROSSED

House Bill No. 2703

As Amended

ENGROSSED HOUSE BILL NO. 2703 - By: Steele, McAffrey, Pittman,
Lindley and Enns of the House and Johnson (Constance) 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:~~

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

This act shall be known and may be cited as the "Consumer
Protection for Wheeled Mobility Act".

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

As used in the Consumer Protection for Wheeled Mobility Act:

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

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

5 3. "RESNA" means the Rehabilitation Engineering and Assistive
6 Technology Society of North America; and

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

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

14 A. For Medicaid claims with dates of service on or after April
15 1, 2009, on all purchased wheeled mobility systems, the patient
16 shall have:

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

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

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

8 B. The Oklahoma Health Care Authority shall promulgate rules to
9 implement the Consumer Protection for Wheeled Mobility Act in
10 accordance with the Consumer Protection for Wheeled Mobility Act.

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

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

16 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-2-08 - DO
17 PASS, As Amended.