

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2703

By: Steele

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6 AS INTRODUCED

7 An Act relating to poor persons; establishing the
8 Consumer Protection for Wheeled Mobility Act;
9 defining terms; providing for certain requirements on
10 Medicaid claims for wheeled mobility after certain
11 date; directing the Oklahoma Health Care Authority to
12 promulgate rules; providing for codification;
13 providing an effective date; and declaring an
14 emergency.

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

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

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

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

24 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

1 training of a consumer in the use of a particular assistive
2 technology device;

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

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

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

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

16 A. For Medicaid claims with dates of service on or after April
17 1, 2009, on all purchased wheeled mobility, the patient shall either
18 have:

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

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.

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

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

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

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