

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1483

By: Wilcoxson

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5
6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 Section 3, Chapter 283, O.S.L. 2004 (63 O.S. Supp.
9 2007, Section 1-1955.3), which relates to the
10 Oklahoma Long-Term Care Partnership Program;
11 directing the Oklahoma Health Care Authority to
12 exempt certain resources upon application of certain
13 Medicaid benefits; and providing an effective date.

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

15 SECTION 1. AMENDATORY Section 3, Chapter 283, O.S.L.
16 2004 (63 O.S. Supp. 2007, Section 1-1955.3), is amended to read as
17 follows:

18 Section 1-1955.3 A. Upon repeal of the restrictions to asset
19 protection contained in the Omnibus Budget Reconciliation Act of
20 1993, Public Law 103-66, 107 Stat. 312, there shall be established
21 the Oklahoma Long-Term Care Partnership Program, to be administered
22 by the Oklahoma Health Care Authority, with the assistance of the
23 Insurance Department, to do the following:

24 1. Provide incentives for individuals to insure against the
costs of providing for their long-term care needs;

1 2. Provide a mechanism for individuals to qualify for coverage
2 of the cost of their long-term care needs under the state Medicaid
3 program without first being required to substantially exhaust their
4 resources;

5 3. Provide counseling services to individuals in planning for
6 their long-term care needs; and

7 4. Alleviate the financial burden on the state's Medicaid
8 program by encouraging the pursuit of private initiatives.

9 B. Upon ~~exhaustion~~ application of Medicaid benefits under a the
10 Long-Term Care Partnership Program ~~policy~~, certain resources of an
11 individual, as described in subsection C of this section, shall not
12 be considered by the Authority when determining any of the
13 following:

14 1. Medicaid eligibility;

15 2. The amount of any Medicaid payment; and

16 3. Any subsequent recovery by the state of a payment for
17 medical services.

18 C. The Oklahoma Health Care Authority shall amend the state
19 Medicaid program to allow for asset disregard. The Authority shall
20 provide for asset disregard by counting insurance benefits paid
21 under a policy toward asset disregard to the extent the payments are
22 for covered services under the Oklahoma Long-Term Care Partnership
23 Program for purchasers of an Oklahoma Long-Term Care Partnership
24 Program approved policy.

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SECTION 2. This act shall become effective November 1, 2008.

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