

1 ENGROSSED HOUSE
2 BILL NO. 1114

By: Miller and Martin (Scott)
of the House

3 and

4 Johnson (Mike) and Myers
5 of the Senate

6
7
8 (public health and safety - amending 63 O.S.,
9 Section 1-1955.3 -
10 Long-Term Care Partnership Program)

11
12

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

14 SECTION 1. AMENDATORY Section 3, Chapter 283, O.S.L.
15 2004 (63 O.S. Supp. 2008, Section 1-1955.3), is amended to read as
16 follows:

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

23 1. Provide incentives for individuals to insure against the
24 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
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.

1 Passed the House of Representatives the 12th day of March, 2009.

2
3
4 Presiding Officer of the House of
Representatives

5
6 Passed the Senate the ____ day of _____, 2009.

7
8
9 Presiding Officer of the Senate