

1 ENGROSSED SENATE  
2 BILL NO. 496

By: Gumm and Ivester of the  
Senate

3 and

4 Morgan and Terrill of the  
5 House

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7  
8 [ public health and safety - income pension trust -  
9 codification - effective date -

10 emergency ]

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

13 SECTION 1. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 5060 of Title 63, unless there  
15 is created a duplication in numbering, reads as follows:

16 A. Individuals applying for institutional care whose income is  
17 in excess of categorical needy standards but whose income does not  
18 exceed the statewide median of nursing facility payments may create  
19 an income pension trust. The Medicaid Income Pension Trust (MIPT)  
20 shall be in compliance with 42 U.S.C., Section 1396p(d)(4) and rules  
21 promulgated by the Oklahoma Health Care Authority Board regarding  
22 such trusts.

23 B. For purposes of this section, the term "statewide median of  
24 nursing facility payments" means the median of payments excluding

1 incentive payments made to nursing facilities pursuant to Section  
2 1011.5 of Title 56 of the Oklahoma Statutes.

3 SECTION 2. This act shall become effective July 1, 2009.

4 SECTION 3. It being immediately necessary for the preservation  
5 of the public peace, health and safety, an emergency is hereby  
6 declared to exist, by reason whereof this act shall take effect and  
7 be in full force from and after its passage and approval.

8 Passed the Senate the 3rd day of March, 2009.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
13 2009.

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Presiding Officer of the House  
of Representatives

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