

# An Act

ENROLLED HOUSE

BILL NO. 1554

By: Kern and Pittman of the  
House

and

Anderson of the Senate

An Act relating to poor persons; creating the Oklahoma Options Counseling for Long-term Care Program Act; stating legislative findings; providing definitions; creating program; providing for administration; specifying program services; requiring option counseling for certain recipients; specifying act shall not implement certain federal law; providing for codification; and providing an effective date.

SUBJECT: Oklahoma Options Counseling for Long-term Care Program Act

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 3002.5 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 "Oklahoma Options Counseling for Long-term Care Program Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3002.6 of Title 56, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Legislature finds that access to information regarding all components of a long-term care support system is necessary to empower the elderly and persons with disabilities in planning, evaluating, and making decisions to meet their individual

long-term care support needs appropriately. This access to information shall be provided through the Options Counseling for Long-term Care Program provided by the Aging and Disability Resource Consortium and its partner community organizations. The Options Counseling for Long-term Care Program shall be designed to allow for an integrated system that facilitates navigation of the variety of private and public resources available; minimizes service fragmentation; reduces duplication of administrative paperwork procedures; enhances individual choice; supports informed decision making; and increases the cost-effectiveness of long-term care services and support systems.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3002.7 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. As used in the Oklahoma Options Counseling for Long-term Care Program Act:

1. "Long-term care facility" means a nursing facility or assisted living facility;

2. "Options counseling for long-term care" means the process of providing services pursuant to the Oklahoma Options Counseling for Long-term Care Program within the Aging and Disability Resource Consortium (ADRC); and

3. "Representative" means a family member, attorney, hospital social worker, or any other person chosen by an individual to act on behalf of the individual:

a. seeking a long-term care consultation, or

b. admitted to a long-term care program or facility.

B. The Options Counseling for Long-term Care Program is hereby created within the Department of Human Services Aging Services Division and administered within the Aging Services Division Aging and Disability Resource Consortium.

C. Subject to available funding, the Options Counseling for Long-term Care Program, through its partner community agencies, shall provide individuals or their representatives, or both, with long-term care options consultation by phone or in person, which shall include at a minimum the following:

1. A basic review of an individual's need for information;

2. A review of appropriate long-term care options and costs, if available;

3. A review of providers who accept either public or private payment or both public and private payment for long-term care services;

4. A summary of factors to consider when choosing among the available programs, services, and benefits; and

5. A summary of opportunities and methods for maximizing the independence and self-reliance of the individual, including support services provided by the family and friends of the individual.

D. Options counseling for long-term care under this section may be provided at any time, whether before or after the individual who is the subject of a long-term care consultation has been admitted to a long-term facility.

E. Nothing in the Oklahoma Options Counseling for Long-term Care Program Act shall be used to implement any provisions of the federal Patient Protection and Affordable Care Act.

SECTION 4. This act shall become effective November 1, 2011.

Passed the House of Representatives the 8th day of March, 2011.

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Presiding Officer of the House of  
Representatives

Passed the Senate the 25th day of April, 2011.

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Presiding Officer of the Senate

**OFFICE OF THE GOVERNOR**

Received by the Governor this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

**OFFICE OF THE SECRETARY OF STATE**

Received by the Secretary of State this \_\_\_\_\_  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
By: \_\_\_\_\_