

1 **SENATE FLOOR VERSION**

2 April 11, 2011

3 As Amended

4 ENGROSSED HOUSE

5 BILL NO. 1554

6 By: Kern and Pittman of the
7 House

8 and

9 Anderson of the Senate

10 [poor persons - creating the Oklahoma Options
11 Counseling for Long-term Care Program Act -
12 codification - effective date]

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 3002.5 of Title 56, unless there
16 is created a duplication in numbering, reads as follows:

17 This act shall be known and may be cited as the "Oklahoma
18 Options Counseling for Long-term Care Program Act".

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

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

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

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

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

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

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

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

4 a. seeking a long-term care consultation, or

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

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

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

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

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

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

21 4. A summary of factors to consider when choosing among the
22 available programs, services, and benefits; and
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1 5. A summary of opportunities and methods for maximizing the
2 independence and self-reliance of the individual, including support
3 services provided by the family and friends of the individual.

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

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

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

12 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-6-11 - DO
13 PASS, As Amended.