

1 ENGROSSED SENATE  
2 BILL NO. 1604

By: Allen, Shortey and Johnson  
(Constance) of the Senate

3 and

4 Bennett of the House

5  
6 [ public health and safety - Oklahoma Veterans  
7 Traumatic Brain Injury Treatment and Recovery Act of  
8 2014 - codification - effective date ]  
9

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

11 SECTION 1. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 1-291 of Title 63, unless there  
13 is created a duplication in numbering, reads as follows:

14 This act shall be known as the "Oklahoma Veterans Traumatic  
15 Brain Injury Treatment and Recovery Act of 2014".

16 SECTION 2. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 1-291.2 of Title 63, unless  
18 there is created a duplication in numbering, reads as follows:

19 For the purposes of this act, "hyperbaric oxygen treatment"  
20 (HBOT) shall mean treatment with a valid prescription from a medical  
21 doctor or doctor of osteopathy in either a hyperbaric chamber  
22 cleared by the United States Food and Drug Administration (FDA) or a  
23 device with an appropriate FDA-approved investigational device  
24 exemption, located at a facility in compliance with applicable state

1 fire codes and supervised in accordance with requirements in the  
2 Oklahoma Veterans Traumatic Brain Injury Treatment and Recovery Act.  
3 The treatment shall be delivered solely by authorized, licensed or  
4 nationally certified health care providers in accordance with  
5 federal and state law.

6 SECTION 3. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 1-291.2A of Title 63, unless  
8 there is created a duplication in numbering, reads as follows:

9 There is hereby created in the State Treasury a revolving  
10 fund for the Department of Veterans Affairs to be designated the  
11 "Veterans Traumatic Brain Injury Treatment and Recovery Revolving  
12 Fund". The fund shall be a continuing fund, not subject to fiscal  
13 year limitations, and shall consist of all the monies received by  
14 the Department of Veterans Affairs in the form of donations,  
15 appropriations or other monies for such fund. All monies accruing  
16 to the credit of the fund are appropriated and may be budgeted and  
17 expended by the Department for the purpose of veterans' treatment as  
18 provided by law. Expenditures from the fund shall be made upon  
19 warrants issued by the State Treasurer against claims filed as  
20 prescribed by law with the Director of the Office of Management and  
21 Enterprise Services for approval and payment.

22 SECTION 4. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 1-291.3 of Title 63, unless  
24 there is created a duplication in numbering, reads as follows:

1 For the purposes of this act, the Oklahoma State University  
2 Center for Aerospace and Hyperbaric Medicine (OSUCAHM) shall have  
3 full statewide jurisdiction over all medical treatments provided and  
4 costs allowed to providers who request reimbursement from the  
5 Oklahoma Veterans Traumatic Brain Injury Treatment and Recovery Fund  
6 created in Section 3 of this act.

7 Prior to the treatment of any veteran for traumatic brain injury  
8 (TBI), the OSUCAHM shall develop and publish a standard approved  
9 treatment plan for veterans being treating using HBOT for Traumatic  
10 Brain Injury (TBI). In the event a medical professional prescribes  
11 a treatment under Section 2 of this act that does not comport and  
12 comply with the provisions of the standard plan, OSUCAHM shall have  
13 the authority to approve or disapprove the treatment plan for  
14 reimbursement under this act.

15 SECTION 5. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 1-291.4 of Title 63, unless  
17 there is created a duplication in numbering, reads as follows:

18 Any Oklahoma veteran who has been diagnosed with a traumatic  
19 brain injury (TBI) and prescribed HBOT by a medical professional  
20 authorized under Section 2 of this act may receive HBOT treatment at  
21 any facility in the state that has a hyperbaric chamber and provides  
22 treatment in accordance with Section 2 of this act.

23 Prior to receiving treatment, a treatment plan for the TBI by  
24 HBOT shall be reviewed and conform to a plan approved by the

1 Oklahoma State University Center for Aerospace and Hyperbaric  
2 Medicine. The facility seeking reimbursement from the fund shall  
3 request approval for funding from the Director of the Office of  
4 Management and Enterprise Service. Upon receipt of an approved  
5 request for treatment, the funds for treatment shall be set aside  
6 and used to ensure payment in full for the veteran's treatment.

7 At the conclusion of six (6) months of no treatment and/or the  
8 lack of submission of any bills, the Director of the Office of  
9 Management and Enterprise Services shall advise the veteran and the  
10 participating facility that the funding reserved for the HBOT  
11 treatment shall expire within ninety (90) days if no contact is made  
12 by the facility that treatment is scheduled and/or continued.  
13 Should the facility fail to contact OMES with the information that  
14 treatment is scheduled and/or continued, then the monies reserved  
15 for treatment of that veteran shall be released and made available  
16 to another veteran meeting the requirements of this act.

17 SECTION 6. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 1-291.5 of Title 63, unless  
19 there is created a duplication in numbering, reads as follows:

20 Subject to the availability of funding, participating facilities  
21 who provide HBOT to veterans suffering from TBI shall provide  
22 treatment at no cost to the veteran and shall submit a bill for any  
23 treatment to the Director of the Office of Management and Enterprise  
24 Services. The bill shall be paid from the Veterans Traumatic Brain

1 Injury Treatment and Recovery Revolving Fund to the extent funds are  
2 available. Should the costs of the treatment exceed the  
3 availability of funds, the veteran treated shall be held harmless  
4 from any costs of treatment by the facility and the state shall have  
5 no obligation to make payments above the agreed upon contract.

6 SECTION 7. This act shall become effective July 1, 2015.

7 Passed the Senate the 10th day of March, 2014.

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Presiding Officer of the Senate

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11 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,

12 2014.

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Presiding Officer of the House  
of Representatives

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