

1 ENGROSSED HOUSE
2 BILL NO. 2758

By: Osborn (Leslie), West
(Josh), Bush and McEntire
of the House

3
4 and

Griffin of the Senate

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8 [developmental disabilities - establishing a voucher
9 waiver program for caregivers of persons with
10 developmental disabilities - effective date]
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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 1426 of Title 10, unless there
16 is created a duplication in numbering, reads as follows:

17 A. As used in this section:

18 1. "Caregiver" means a person eighteen (18) years of age or
19 older who provides full-time care for a person with an intellectual
20 disability in the caregiver's home; and

21 2. "Person with an intellectual disability" means a person who
22 has significantly subaverage functioning, an intelligence quotient
23 (IQ) of less than 70 that manifests before eighteen (18) years of
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age and exists concurrently with related limitations in two or more of the following applicable adaptive skill areas:

- a. communication,
- b. self-care,
- c. home living,
- d. social skills,
- e. use of community resources,
- f. self-direction,
- g. health and safety,
- h. functional academics,
- i. leisure, and
- j. work.

B. Subject to the availability of funds, the Developmental Disabilities Services (DDS) of the Department of Human Services shall implement and maintain a voucher waiver program to provide respite for caregivers of a person with an intellectual disability who qualifies for Medicaid services and meets the Intermediate Care Facilities for individuals with Intellectual Disability (ICF/ID) level of care.

C. The DDS and the Department, in collaboration with the Governor's Advisory Committee created by Executive Order 2015-17, shall:

1. Establish eligibility and procedures for implementation and maintenance of the voucher waiver program;

1 2. Apply for a waiver or waivers to the Centers for Medicaid
2 and Medicare Services (CMS) to maximize funding for the voucher
3 waiver program; and

4 3. Promulgate rules necessary for the voucher waiver program.

5 D. The voucher waiver program created in subsection B of this
6 section shall not replace the Medicaid In-Home Supports Waiver or
7 the Community Waiver, but shall be used to support caregivers who
8 are waiting access to those waivers.

9 SECTION 2. This act shall become effective November 1, 2018.

10 Passed the House of Representatives the 12th day of March, 2018.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ____ day of _____, 2018.

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Presiding Officer of the Senate

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