

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 ENGROSSED SENATE
5 BILL NO. 57

By: Boggs of the Senate

and

Kannady of the House

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9 An Act relating to veterans; amending 72 O.S. 2011,
10 Section 63.5, as amended by Section 3, Chapter 212,
11 O.S.L. 2014 (72 O.S. Supp. 2016, Section 63.5), which
12 relates to the collection of payments from eligible
13 patients and members for care and maintenance;
14 updating language; clarifying certain admission
15 standards; and providing an effective date.

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

17 SECTION 1. AMENDATORY 72 O.S. 2011, Section 63.5, as
18 amended by Section 3, Chapter 212, O.S.L. 2014 (72 O.S. Supp. 2016,
19 Section 63.5), is amended to read as follows:

20 Section 63.5. The Oklahoma Veterans Commission is hereby
21 authorized to make collections from eligible patients and members
22 for care and maintenance. Payments shall be established in the
23 following manner:

24 1. All sources of personal income, except wages of a working
 spouse, except as provided in this section, shall be considered when

1 computing care and maintenance charges, including pensions and
2 awards for aid and attendance from the Veterans Administration;

3 2. Care and maintenance charges shall be computed in a manner
4 to maximize the Veterans Administration pension and compensation
5 benefits to which the veteran is entitled and shall allow a veteran
6 to retain not less than One Hundred Fifty Dollars (\$150.00) per
7 month of total monthly income;

8 3. The care and maintenance charge shall not exceed the full
9 cost of care minus the Veterans Administration per diem payment;

10 4. Spouses, widows and widowers of eligible war veterans are
11 authorized to be admitted and maintained in the Oklahoma veterans
12 centers. The facilities admitting and maintaining spouses, widows
13 and widowers shall make collections from ~~said~~ the spouses, widows
14 and widowers first and to the fullest extent from sources of income
15 other than pension and compensation paid by the Veterans
16 Administration; and

17 5. The claim of the state for such care and maintenance shall
18 constitute a valid indebtedness against any such patient or member
19 and the patient's estate and shall not be barred by any statute of
20 limitations except as otherwise allowed by the Oklahoma Indigent
21 Health Care Act. At the death of the patient or member, this claim
22 shall be allowed and paid as other lawful claims against the estate.
23 Provided, no admission of a veteran of a period of war, as
24 referenced in 38 U.S.C., Section 1521 or detention of a patient in

1 an Oklahoma veterans center shall be limited or conditioned in any
2 manner by the lack of ability to pay of a patient or member, the
3 patient's estate, or any relative of the patient or member. Any
4 monies collected by the provisions of this section shall be
5 deposited in the Department of Veterans Affairs Revolving Fund.

6 SECTION 2. This act shall become effective November 1, 2017.

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8 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
9 04/11/2017 - DO PASS.
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