

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 57

By: Boggs

6 AS INTRODUCED

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

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

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

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

21 1. All sources of personal income, except wages of a working
22 spouse, except as provided in this section, shall be considered when
23 computing care and maintenance charges, including pensions and
24 awards for aid and attendance from the Veterans Administration;

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

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

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

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

1 patient's estate, or any relative of the patient or member. Any
2 monies collected by the provisions of this section shall be
3 deposited in the Department of Veterans Affairs Revolving Fund.

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

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