

BILL SUMMARY
2nd Session of the 58th Legislature

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| Bill No.: | HB3977 |
| Version: | INT |
| Request Number: | 9696 |
| Author: | Bell |
| Date: | 2/16/2022 |
| Impact: | Creates a new state agency; ODC estimates \$216K |

Research Analysis

HB3977, as introduced, renames the Strategic Planning Committee on the Olmstead Decision to the Commission on Independence and Ability, the Commission which will continue until July 1, 2025. Individuals with disabilities who use community-based services will make up the majority of the Commission and members will work cooperatively to ensure the federal Olmstead Decision is implemented and will provide guidance and technical assistance to Medicaid Managed Care Organizations as the state moves to a privatized system. The Commission will be composed of six appointed members, seven ex officio members, and representatives from disability-related organizations. The Commission may engage with potential Managed Care Organizations to listen to services, plans, costs, and the overall approach. The Commission must develop a five-year implementation plan for the State to provide a comprehensive system of service delivery for persons with disabilities. The plan must use outcome measures to determine the success or failure of the plan and must include an explanations of related priorities, contracting, administrative structures, Medicaid waiver assurance, rural support access, provider rates and network, and use of CD-PASS and how to move the program back in-state to be operated by the federally funded Centers for Independent Living. The Attorney General, the Central Oklahoma and Northeast Oklahoma CILs, and the Oklahoma Disability Law Center will coordinate efforts to work with agencies in assessing compliance with the Olmstead Decision and the ADA in providing services to qualified individuals with disabilities in community-based settings, and provide technical guidance and work with the state to provide services to qualified individuals in the most integrated settings. The Commission will make an initial report within 180 days of the effective date and the plan will be submitted within one year of the effective date. Then, the Commission will submit annual reports throughout plan implementation. Relevant agencies will evaluate the policies, programs, statutes, and administrative rules to determine whether any should be revised or amended to improve the availability of community-based services for qualified individuals with disabilities. Results must be reported within 120 days of the effective date. All state agencies must coordinate planning and future funding with the Commission and fully comply with Title II of the ADA. Individuals may seek complaint resolution through the grievance process of the appropriate state agency, alternative dispute resolution, or the federal Office of Civil Rights.

Prepared By: Suzie Nahach

Fiscal Analysis

This measure as introduced, creates a new state agency. From the Office of Disability Concerns:

In terms of an estimate, I see a worst case scenario of at least 3 addition FTE so around \$216k per year.

Prepared By: Stacy Johnson

Other Considerations

None.

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