

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1555

By: Rosino

6 AS INTRODUCED

7 An Act relating to Medicaid home- and community-based
8 services; amending 10 O.S. 2021, Section 1408, which
9 relates to definitions; modifying certain definition;
providing an effective date.

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

12 SECTION 1. AMENDATORY 10 O.S. 2021, Section 1408, is
13 amended to read as follows:

14 Section 1408. A. "Individual with intellectual disability" as
15 used in ~~Sections~~ Section 1406 through 1424 et seq. of this title
16 means a person who has significantly subaverage functioning,
17 evidenced by an intelligence quotient (IQ) of less than seventy
18 (70), or between seventy-one (71) and seventy-five (75) accompanied
19 by a verbal or performance IQ score of seventy (70) or below,
20 manifested before the age of eighteen (18) twenty-two (22) years of
21 age and existing concurrently with related limitations in extreme
22 limitation of one or more or marked limitation of two or more of the
23 following applicable adaptive skill areas:

24 1. Communication;

1 2. Self-care;
2 3. Home living;
3 4. Social skills;
4 5. Use of community resources;
5 6. Self-direction;
6 7. Health and safety;
7 8. Functional academics;
8 9. Leisure; and
9 10. Work

10 areas of mental functioning, as described in the listing for
11 intellectual disorder in the Social Security Administration Listing
12 of Impairments for disability evaluation:

13 1. Understand, remember, or apply information;
14 2. Interact with others;
15 3. Concentrate, persist, or maintain pace; or
16 4. Adapt or manage oneself.

17 B. "Resident" as used in ~~Sections~~ Section 1406 ~~through~~ 1424 et
18 seq. of this title shall mean a person admitted to and in residence
19 in any of the institutions named in Section 1406 of this title, or
20 on a vacation or extended vacation status from such institution.

21 C. "Developmental disability" as used in ~~Sections~~ Section 1406
22 ~~through~~ 1424 et seq. of this title means a severe, chronic
23 disability of a person which:

1 1. Is attributable to a mental or physical impairment or
2 combination of mental and physical impairments, such as intellectual
3 developmental disorder, cerebral palsy, or autism;
4 2. Is manifested before the person attains twenty-two (22)
5 years of age;
6 3. Is likely to continue indefinitely;
7 4. Results in substantial functional limitations in three or
8 more of the following areas of major life activity:
9 a. self-care,
10 b. receptive and expressive language,
11 c. learning,
12 d. mobility,
13 e. self-direction,
14 f. capacity for independent living, and
15 g. economic self-sufficiency; and
16 5. Reflects the person's need for a combination and sequence of
17 special, interdisciplinary, or generic care, treatment, or other
18 services which are of lifelong or extended duration and are
19 individually planned and coordinated. The term developmental
20 disability shall not include mentally ~~ill~~ incompetent persons, as
21 those persons are defined by Section 1-103 of Title 43A of the
22 Oklahoma Statutes, whose sole disability is mental illness as
23 defined by Section 1-103 of Title 43A of the Oklahoma Statutes.

1 D. Nothing in subsection C of this section shall be construed
2 to render persons who are receiving services upon September 1, 1991,
3 through programs and services for individuals with intellectual
4 disabilities offered by the Department of Human Services as
5 ineligible for such services. The Department of Human Services may
6 provide, within the limitations of funds and other resources
7 available for such purpose, programs and services for persons with
8 developmental disabilities who are not presently served by the
9 Department of Human Services.

10 SECTION 2. This act shall become effective November 1, 2026.

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