

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1555

By: Rosino

AS INTRODUCED

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

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

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

Section 1408. A. "Individual with intellectual disability" as used in ~~Sections~~ Section 1406 ~~through 1424~~ et seq. of this title means a person who has significantly subaverage functioning ~~7~~ evidenced by an intelligence quotient (IQ) of less than seventy (70), or between seventy-one (71) and seventy-five (75) accompanied by a verbal or performance IQ score of seventy (70) or below, manifested before ~~the age of eighteen (18)~~ twenty-two (22) years of age and existing concurrently with ~~related limitations in extreme~~ limitation of one or more or marked limitation of two or more of the following applicable adaptive skill areas:

~~1. Communication;~~

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

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

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

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

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