

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1847

By: Green

AS INTRODUCED

An Act relating to Medicaid home- and community-based services; amending 56 O.S. 2021, Section 1017.3, which relates to the ADvantage Waiver Program; modifying eligibility criteria; providing certain exception; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 56 O.S. 2021, Section 1017.3, is amended to read as follows:

Section 1017.3. A. To be eligible for the ADvantage Waiver Program, a person shall:

1. Qualify financially for Medicaid;
2. Be sixty-five (65) years of age or older or be a physically disabled adult, as determined by the Social Security Administration, ~~age twenty-one (21)~~ nineteen (19) years of age or older ~~without~~;

3. Not have:

- a. an intellectual disability, or

1 b. a cognitive impairment, except as provided by
2 subsection B of this section;

3 ~~3.~~ 4. Be determined to meet the nursing facility institutional
4 level of care by the Aging Services Division of the Department of
5 Human Services;

6 ~~4.~~ 5. Reside in his or her own home ~~or,~~ a family member's home,
7 or an assisted living center contracted with the Department of Human
8 Services under the ADvantage Waiver Program; and

9 ~~5.~~ 6. Have needs that can be safely met with waiver services
10 and family or community supports.

11 B. Notwithstanding subparagraph b of paragraph 3 of subsection
12 A of this section, a person with a cognitive impairment may qualify
13 for the ADvantage Waiver Program if:

14 1. The person resides in an assisted living center contracted
15 with the Department of Human Services under the ADvantage Waiver
16 Program;

17 2. The person was already residing in such assisted living
18 center at the time he or she developed the cognitive impairment; and

19 3. The assisted living center executes a plan of accommodation
20 with the person as described in subsection H of Section 1-890.8 of
21 Title 63 of the Oklahoma Statutes.

22 SECTION 2. This act shall become effective July 1, 2026.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
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