

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3628

By: Lawson

AS INTRODUCED

An Act relating to poor persons; amending 56 O.S. 2021, Section 1020, as amended by Section 2, Chapter 479, O.S.L. 2025 (56 O.S. Supp. 2025, Section 1020), which relates to community-based services; modifying list of community-based programs; and providing an effective date.

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

SECTION 1. AMENDATORY 56 O.S. 2021, Section 1020, as amended by Section 2, Chapter 479, O.S.L. 2025 (56 O.S. Supp. 2025, Section 1020), is amended to read as follows:

Section 1020. A. The Director of the Department of Human Services shall, within the constraints of funding appropriated to the Department, establish and maintain a community-based program of services that includes, but is not limited to, establishment of foster care and supported living arrangements for persons affected by Prader-Willi syndrome. The purpose of this section of law shall be to improve the quality of life of persons with developmental

1 disabilities and to integrate such persons into the mainstream of  
2 society by ensuring availability of community services.

3 B. The programs established pursuant to this section shall be  
4 administered by the Developmental Disabilities Service Division.

5 The Commission for Human Services shall promulgate rules for the  
6 operation of community-based programs for persons with developmental  
7 disabilities including, but not limited to, rules regarding the  
8 delivery of:

9 1. Health-related services. As used in this section, health-  
10 related services means services provided by community services  
11 providers or community services workers to persons with  
12 developmental disabilities, and includes, but is not limited to:

- 13 a. personal hygiene,
- 14 b. transferring,
- 15 c. range of motion,
- 16 d. supervision or assistance with activities of daily  
17 living,
- 18 e. basic nursing care, such as taking the person's  
19 temperature, pulse or respiration, positioning,  
20 incontinent care, and identification of signs and  
21 symptoms of disease. Certain tasks that may be  
22 performed as basic nursing care by community services  
23 workers require appropriate training provided or  
24 approved by the Department, written agreement by the

1 service recipient's personal support team, and the  
2 primary care physician's acknowledgment and specific  
3 order related to the task. Under such circumstances,  
4 basic nursing care may include, but need not be  
5 limited to:

- 6 (1) nutrition, including meals by gastrostomy tube or  
7 jejunostomy tube,
- 8 (2) blood glucose monitoring,
- 9 (3) ostomy bag care,
- 10 (4) oral suctioning, and
- 11 (5) administration of oral metered dose inhalers and  
12 nebulizers;

13 2. Supportive assistance, which means the service rendered to  
14 persons with developmental disabilities that is sufficient to enable  
15 such person to meet an adequate level of daily living. Supportive  
16 assistance includes, but is not limited to, training and supervision  
17 of persons with developmental disabilities, assistance in  
18 housekeeping, ~~assistance in the preparation of meals,~~ and assistance  
19 in activities of daily living as necessary for the health and  
20 comfort of persons with developmental disabilities; ~~and~~

21 3. Safe storage and administration of medications, first aid  
22 treatments and nutrition by oral, rectal, vaginal, otic, ophthalmic,  
23 nasal, skin, topical, transdermal and gastrostomy tube routes by  
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community service workers who have successfully completed competency-based training approved by the Department; and

4. Home delivered meals, the delivery of ready to eat, refrigerated, frozen, vacuum-packaged, modified-atmosphere-packaged, or shelf-stable, culturally appropriate meals to the residence, or an alternative location determined by the individual to eligible persons with developmental disabilities or individuals with intellectual disabilities, as defined in Section 1408 of Title 10 of the Oklahoma Statutes, in their own home five (5) or more days per week.

C. The Department shall undertake to identify and utilize any and all federal funding which may be available for such services.

D. The Department is authorized to accept any gift of real or personal property made for the use or benefit of any program or services established pursuant to this section. Such gift may only be utilized for the purpose or purposes for which it is given.

E. The Department shall be the agency responsible for annual performance audits of community-based services provided through Home and Community-Based Medicaid Waivers. The Oklahoma Health Care Authority (OHCA) shall be responsible for auditing claims to confirm that the services billed by contract providers have been delivered per requirements from the Centers for Medicare and Medicaid Services (CMS).

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

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