

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 271

By: Halligan

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5
6 AS INTRODUCED

7 An Act relating to Prader-Willi syndrome; amending 56
8 O.S. 2011, Section 1020, which relates to the
9 administration of certain programs; permitting
10 injection of certain drugs by certain persons;
11 directing the Department of Human Services to
12 promulgate certain rules; and providing an effective
13 date.

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

15 SECTION 1. AMENDATORY 56 O.S. 2011, Section 1020, is
16 amended to read as follows:

17 Section 1020. A. The Director of the Department of Human
18 Services shall, within the constraints of funding appropriated to
19 the Department, establish and maintain a community-based program of
20 services that includes, but is not limited to, establishment of
21 foster care and supported living arrangements for persons affected
22 by Prader-Willi syndrome. The purpose of this section of law shall
23 be to improve the quality of life of persons with developmental
24 disabilities and to integrate such persons into the mainstream of
society by ensuring availability of community services.

1 B. The programs established pursuant to this section shall be
2 administered by the Developmental Disabilities Service Division.
3 The Commission for Human Services shall promulgate rules for the
4 operation of community-based programs for persons with developmental
5 disabilities including, but not limited to, rules regarding the
6 delivery of:

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

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

1 order related to the task. Under such circumstances,
2 basic nursing care may include, but need not be
3 limited to:

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

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

19 3. Safe storage and administration of medications, first aid
20 treatments and nutrition by oral, rectal, vaginal, otic, ophthalmic,
21 nasal, skin, topical, transdermal and gastrostomy tube routes by
22 community service workers who have successfully completed
23 competency-based training approved by the Department.
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1 C. The Department shall undertake to identify and utilize any
2 and all federal funding which may be available for such services.

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

7 E. Nothing in this section shall be construed as to prohibit a
8 caregiver employed by the legal guardian of a person affected by
9 Prader-Willi syndrome from administering injections of
10 hydrocortisone sodium succinate. The Department shall promulgate
11 rules permitting the administration of injections of hydrocortisone
12 sodium succinate to persons affected by Prader-Willi syndrome;
13 provided, such injections may be administered by the persons
14 provided for in paragraph 1 of subsection B of this section or by
15 caregivers employed by the legal guardian of a person affected by
16 Prader-Willi syndrome.

17 SECTION 2. This act shall become effective November 1, 2015.

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