

1 **SENATE FLOOR VERSION**

2 February 20, 2019

3 **AS AMENDED**

4 SENATE BILL NO. 888

By: David of the Senate

and

Bush of the House

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8 **[Oklahoma Choices for Long-Term Care Act - Program**
9 **of All-Inclusive Care for the Elderly (PACE) -**
10 **codification - effective date]**

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

13 SECTION 1. AMENDATORY 56 O.S. 2011, Section 1017.1, is
14 amended to read as follows:

15 Section 1017.1. A. ~~Sections 1 through 5 of this act~~ Sections
16 1017.1 through 1017.6 of this title shall be known and may be cited
17 as the "Oklahoma Choices for Long-Term Care Act".

18 B. The purpose of the Oklahoma Choices for Long-Term Care Act
19 is to make long-term services and supports for citizens easily
20 accessible, cost-effective and of high quality and to provide a
21 comprehensive and systematic approach to addressing these needs.
22 The Oklahoma Choices for Long-Term Care Act shall provide older
23 Oklahomans and adults with physical disabilities the opportunity to
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1 choose where they live and receive their services, and provide
2 efficient administration of the ADvantage Waiver Program.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 1017.6 of Title 56, unless there
5 is created a duplication in numbering, reads as follows:

6 A. As used in this section, "Program of All-Inclusive Care of
7 the Elderly (PACE)" means a full-risk-bearing program that provides
8 comprehensive health services for individuals age sixty-five (65)
9 and over who are sufficiently frail to be categorized as nursing
10 home eligible by the state's Medicaid program. PACE shall be
11 reimbursed on a fixed per-member per-month rate, and, in return for
12 such fixed payment, is responsible for providing all health
13 services, including transportation.

14 B. 1. Beginning November 1, 2019, persons who are sixty-five
15 (65) years of age or greater and live within the defined service
16 area of a Program of All-Inclusive Care for the Elderly (PACE) shall
17 receive **a** referral to the PACE organization from the Department of
18 Human Services prior to enrolling in any Long-Term Supports and
19 Services (LTSS) programming outlined in the Oklahoma Choices for
20 Long-Term Care Act.

21 2. Seniors who are being served by other LTSS programming
22 before November 1, 2019, who are sixty-five (65) years of age or
23 greater and live within the defined service area of PACE shall be
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1 referred to the PACE organization prior to any re-evaluation or
2 renewal of service period.

3 C. The PACE organization shall have sixty (60) calendar days
4 from documented receipt of referral to complete the level of care
5 and safety in the community determination.

6 D. 1. A task force shall be assembled to review the current
7 LTSS assessment and evaluation process to determine the necessity of
8 an improved assessment methodology.

9 2. The task force shall be comprised of:

10 a. three members of the Oklahoma Health Care Authority
11 Board selected by the Governor,

12 b. three representatives of the Department of Human
13 Services selected by the Director of the Department of
14 Human Services,

15 c. three representatives of providers of ADvantage Waiver
16 services selected by the Department of Human Services,

17 d. three representatives of PACE providers to be selected
18 by the Oklahoma Health Care Authority,

19 e. three representatives of providers of adult day care
20 services selected by the Protective Health Services,
21 Long-Term Care Division of the State Department of
22 Health, and

23 f. three representatives of the home care industry
24 selected by the State Department of Health.

1 3. The task force shall meet monthly and provide a formal
2 recommendation **to the Governor, the President Pro Tempore of the**
3 **Senate and the Speaker of the House of Representatives** for continued
4 evaluation methods and tools for LTSS within one (1) calendar year
5 of the first task force meeting.

6 E. The PACE organization shall be permitted to engage in
7 enrollment practices throughout the entirety of each month, to be
8 effective the first day of the following month.

9 SECTION 3. This act shall become effective November 1, 2019.

10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
11 February 20, 2019 - DO PASS AS AMENDED

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