

An Act

ENROLLED SENATE
BILL NO. 888

By: David and Hicks of the
Senate

and

Bush of the House

An Act relating to Oklahoma Choices for Long-Term Care Act; defining term; requiring certain options counseling prior to admission to a long-term care facility; providing certain criteria for counseling; providing for counseling in case of emergency admission; requiring certain information to be provided as part of options counseling; providing options counseling for nursing facility residents upon request; providing certain construction; permitting certain enrollment practices; providing for codification; and providing an effective date.

SUBJECT: Long-term care

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1017.6 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. As used in this section, "Program of All-Inclusive Care for the Elderly (PACE)" means a full risk-bearing program that provides comprehensive health services for individuals age fifty-five (55) and over who are sufficiently frail to be categorized as nursing home eligible by the state's Medicaid program. PACE shall be reimbursed on a fixed per-member per-month rate and, in return for

such fixed payment, is responsible for providing all health services, including transportation.

B. 1. Persons who are fifty-five (55) years of age or older, or their legal guardians or lay caregivers, shall receive options counseling for long-term care as defined in Section 3002.7 of Title 56 of the Oklahoma Statutes prior to admission to a long-term care facility, except in the case of an emergency admission. Options counseling shall include, but not be limited to, PACE, if so applicable, nursing facilities and home- and community-based services.

2. In the case of an emergency admission, the options counseling for long-term care shall take place within fourteen (14) days of the emergency admission or as soon as is reasonably possible.

3. Persons who are fifty-five (55) years of age or older and live within the defined service area of a PACE provider shall receive information regarding PACE as part of options counseling for long-term care as defined in Section 3002.7 of Title 56 of the Oklahoma Statutes.

4. Any person currently residing in a nursing facility shall be able to receive options counseling for long-term care as defined in Section 3002.7 of Title 56 of the Oklahoma Statutes at the person's, or their legal guardian's or lay caregiver's, request or at the time of any reevaluation or renewal of long-term care. Nothing in this section shall require any person currently residing in a nursing facility to receive options counseling if they do not desire to do so.

C. A PACE organization shall be permitted to engage in enrollment practices throughout the entirety of each month, to be effective the first day of the following month.

SECTION 2. This act shall become effective November 1, 2019.

Passed the Senate the 16th day of May, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the 20th day of May, 2019.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____