

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 HOUSE BILL 1205

 By: Bush

7 AS INTRODUCED

8 An Act relating to public health and safety; creating
9 the Oklahoma Home- and Community-Based Services
10 Ombudsman Program Task Force; providing purpose;
11 authorizing Task Force to make recommendations;
12 providing basis for recommendations; providing for
13 membership of Task Force; providing for vacancies;
14 requiring Task Force to hold meetings; providing for
15 use of certain services; requiring compliance with
16 the Oklahoma Open Meeting Act; providing for
17 codification; and providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1-2218 of Title 63, unless there
19 is created a duplication in numbering, reads as follows:

20 A. There is hereby created the Oklahoma Home- and Community-
21 Based Services Ombudsman Program Task Force (Task Force). The
22 purpose of the Task Force shall be to research, compile data, and
23 make a recommendation to the Governor, the Speaker of the House of
24 Representatives, and the President Pro Tempore of the Senate

1 regarding the creation of an Ombudsman program to serve recipients
2 of in-home and community-based care and services.

3 B. The Task Force's recommendations shall be based on its
4 findings, and shall include, but not be limited to:

5 1. The mission of such an Ombudsman program and its proposed
6 legislative authority, to include advocacy for persons receiving
7 home/community-based services;

8 2. The proposed placement of the program;

9 3. The governance of the program;

10 4. The roles and responsibilities of any recommended staff
11 positions in the program;

12 5. Identification of interfacing agencies and/or organizations;

13 6. Proposed quality standards; and

14 7. A plan to ensure that the public is informed of the
15 existence of a State Home- and Community-Based Services Ombudsman
16 Program that is created and the services to be provided by such
17 program.

18 C. The Task Force shall consist of the following members:

19 1. The current Oklahoma State Long-Term Care Ombudsman;

20 2. One Long-Term Care Ombudsman Supervisor employed by an Area
21 Agency on Aging, designated by the State Long-Term Care Ombudsman;

22 3. The Executive Director of the Oklahoma Association for Home
23 Care and Hospice;

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1 4. A representative from one current in-home and community-
2 based care provider association, appointed by the Governor;

3 5. Two persons with no financial interest in any long-term care
4 provider entity who currently have a family member or friend
5 receiving in-home and community-based long-term care services,
6 appointed as follows: one appointed by the President Pro Tempore of
7 the Senate and one appointed by the Speaker of the House of
8 Representatives;

9 6. One member representing the Oklahoma Aging Partnership
10 Strategy Committee, selected by the co-coordinators of that
11 Committee;

12 7. One member from the Oklahoma Health Care Authority, selected
13 by the Director of the Oklahoma Health Care Authority; and

14 8. One member from the Oklahoma Department of Health, selected
15 by the Commissioner of Health.

16 D. Members of the Task Force shall serve at the pleasure of the
17 appointing authority. Vacancies in a position shall be filled in
18 the same manner as the original appointment. The members of the
19 Task Force shall elect a Chairperson at its initial meeting.

20 E. The Task Force shall hold its first meeting no later than
21 October 1, 2019, shall meet monthly, and shall publish a report of
22 its final plan no later than September 30, 2020, the date on which
23 members' terms shall end.

1 F. The Task Force shall serve without compensation except
2 actual and necessary travel expenses as authorized by the State
3 Travel Reimbursement Act.

4 G. The Task Force may use the expertise and services of the
5 staff of Aging Services in the Department of Human Services, the
6 Oklahoma Health Care Authority, and the Oklahoma State Department of
7 Health.

8 H. Proceedings of all meetings of the Task Force shall comply
9 with the provisions of the Oklahoma Open Meeting Act.

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

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15 COMMITTEE REPORT BY: COMMITTEE ON HEALTH SERVICES AND LONG-TERM
16 CARE, dated 02/13/2019 - DO PASS.

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