

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2668

By: Steagall

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5  
6 AS INTRODUCED

7 An Act relating to veterans traumatic brain injury  
8 treatment and recovery; amending 63 O.S. 2021,  
9 Section 1-291.3, which relates to the Veterans  
10 Traumatic Brain Injury Treatment and Recovery  
11 Revolving Fund; replacing the Office of Management  
12 and Enterprise Services for approval of claims with  
13 the Oklahoma Department of Veterans Affairs; allowing  
14 the revolving fund to pay for all direct or indirect  
15 services with respect of the treatment of traumatic  
16 brain injuries using hyperbaric chambers; amending 63  
17 O.S. 2021, Section 1-291.4, which relates to  
18 jurisdiction over reimbursement from the Veterans  
19 Traumatic Brain Injury Treatment and Recovery  
20 Revolving Fund and treatment plans; replacing  
21 Oklahoma State University Center for Aerospace and  
22 Hyperbaric Medicine with the Oklahoma Department of  
23 Veterans Affairs; amending 63 O.S. 2021, Section 1-  
24 291.5, which relates to authorization of hyperbaric  
oxygen treatment and approval of treatment plans;  
replacing Oklahoma State University Center for  
Aerospace and Hyperbaric Medicine with the Oklahoma  
Department of Veterans Affairs; replacing the Office  
of Management and Enterprise Services for approval of  
funding with the Oklahoma Department of Veterans  
Affairs; amending 63 O.S. 2021, Section 1-291.6,  
which relates to responsibility for costs of  
treatment; replacing the Office of Management and  
Enterprise Services for approval of funding with the  
Oklahoma Department of Veterans Affairs; providing  
for codification; and providing an effective date.

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

1 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-291.3, is  
2 amended to read as follows:

3 Section 1-291.3 There is hereby created in the State Treasury a  
4 revolving fund for the Oklahoma Department of Veterans Affairs to be  
5 designated the "Veterans Traumatic Brain Injury Treatment and  
6 Recovery Revolving Fund". The fund shall be a continuing fund, not  
7 subject to fiscal year limitations, and shall consist of all the  
8 monies received by the Oklahoma Department of Veterans Affairs in  
9 the form of donations, appropriations or other monies for such fund.  
10 All monies accruing to the credit of the fund are appropriated and  
11 may be budgeted and expended by the Department for the purpose of  
12 veterans' treatment as provided by law. Expenditures from the fund  
13 shall be made upon warrants issued by the State Treasurer against  
14 claims filed as prescribed by law with the Executive Director of the  
15 ~~Office of Management and Enterprise Services~~ Oklahoma Department of  
16 Veterans Affairs for approval and payment.

17 SECTION 2. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 1-291.3A of Title 63, unless  
19 there is created a duplication in numbering, reads as follows:

20 For all expenditures related to the services provided by or at  
21 the request of the Oklahoma Department of Veterans Affairs with  
22 respect to the treatment of traumatic brain injuries using  
23 hyperbaric chambers, the direct and indirect expenditures for such  
24 services, including salaries, benefits and related payroll costs,

1 may be paid from the Veterans Traumatic Brain Injury Treatment and  
2 Recovery Revolving Fund and from such other funding sources as may  
3 be provided by law.

4 SECTION 3. AMENDATORY 63 O.S. 2021, Section 1-291.4, is  
5 amended to read as follows:

6 Section 1-291.4 For the purposes of this act, the ~~Oklahoma~~  
7 ~~State University Center for Aerospace and Hyperbaric Medicine~~  
8 ~~(OSUCAHM)~~ Oklahoma Department of Veterans Affairs shall have full  
9 statewide jurisdiction over all medical treatments provided and  
10 costs allowed to providers who request reimbursement from the  
11 Veterans Traumatic Brain Injury Treatment and Recovery Revolving  
12 Fund created in Section ~~3~~ 1-291.3 of this ~~act~~ title.

13 Prior to the treatment of any veteran for traumatic brain injury  
14 (TBI), the ~~OSUCAHM~~ Department shall develop and publish a standard  
15 approved treatment plan for veterans being treated using hyperbaric  
16 oxygen therapy ~~HBOT~~ (HBOT) for ~~Traumatic Brain Injury~~ traumatic  
17 brain injury (TBI). In the event a medical professional prescribes  
18 a treatment under Section ~~2~~ 1-291.2 of this ~~act~~ title that does not  
19 comport and comply with the provisions of the standard plan, ~~OSUCAHM~~  
20 the Department shall have the authority to approve or disapprove the  
21 treatment plan for reimbursement under this act.

22 SECTION 4. AMENDATORY 63 O.S. 2021, Section 1-291.5, is  
23 amended to read as follows:

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1 Section 1-291.5 Any Oklahoma veteran who has been diagnosed  
2 with a traumatic brain injury (TBI) and prescribed hyperbaric oxygen  
3 treatment (HBOT) by a medical professional authorized under Section  
4 ~~2~~ 1-291.2 of this ~~act~~ title may receive HBOT at any facility in the  
5 state that has a hyperbaric chamber and provides treatment in  
6 accordance with Section ~~2~~ 1-291.2 of this ~~act~~ title.

7 Prior to receiving treatment, a treatment plan for the TBI by  
8 HBOT shall be reviewed and conform to a plan approved by the  
9 ~~Oklahoma State University Center for Aerospace and Hyperbaric~~  
10 ~~Medicine~~ Oklahoma Department of Veterans Affairs. The facility  
11 seeking reimbursement from the fund shall request approval for  
12 funding from the Executive Director of the ~~Office of Management and~~  
13 ~~Enterprise Services~~ Oklahoma Department of Veterans Affairs. Upon  
14 receipt of an approved request for treatment, the funds for  
15 treatment shall be set aside and used to ensure payment in full for  
16 the veteran's treatment. If there is not enough money in the fund  
17 to set aside for treatment reimbursement, the Executive Director of  
18 ~~Office of Management and Enterprise Services~~ the Oklahoma Department  
19 of Veterans Affairs shall deny approval of the request.

20 At the conclusion of six (6) months of no treatment and/or the  
21 lack of submission of any bills, the Executive Director of the  
22 ~~Office of Management and Enterprise Services~~ Oklahoma Department of  
23 Veterans Affairs shall advise the veteran and the participating  
24 facility that the funding reserved for the HBOT shall expire within

1 ninety (90) days if no contact is made by the facility that  
2 treatment is scheduled and/or continued. Should the facility fail  
3 to contact the ~~Office of Management and Enterprise Services~~ Oklahoma  
4 Department of Veterans Affairs with the information that treatment  
5 is scheduled and/or continued, then the monies reserved for  
6 treatment of that veteran shall be released and made available to  
7 another veteran meeting the requirements of this act.

8 SECTION 5. AMENDATORY 63 O.S. 2021, Section 1-291.6, is  
9 amended to read as follows:

10 Section 1-291.6 Subject to the availability of funding,  
11 participating facilities who provide ~~HBOT~~ hyperbaric oxygen therapy  
12 to veterans suffering from ~~TBI~~ traumatic brain injuries shall  
13 provide treatment at no cost to the veteran and shall submit a bill  
14 for any treatment to the Executive Director of the ~~Office of~~  
15 ~~Management and Enterprise Services~~ Oklahoma Department of Veterans  
16 Affairs. The bill shall be paid from the Veterans Traumatic Brain  
17 Injury Treatment and Recovery Revolving Fund to the extent funds are  
18 available. Should the costs of the treatment exceed the  
19 availability of funds, the veteran treated shall be held harmless  
20 from any costs of treatment by the facility and the state shall be  
21 under no obligation to make payments beyond the approved amount in  
22 the fund created in Section ~~3~~ 1-291.3 of this ~~act~~ title and set  
23 aside for that purpose by the Executive Director of the ~~Office of~~

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1 ~~Management and Enterprise Services~~ Oklahoma Department of Veterans  
2 Affairs.

3 SECTION 6. This act shall become effective November 1, 2023.

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