

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2262

6 By: Miller

7 COMMITTEE SUBSTITUTE

8 An Act relating to Alzheimer's Dementia and Other
9 Forms of Dementia Special Care Disclosure Act;
10 amending 63 O.S. 2021, Section 1-879.2c, which
11 relates to disclosure of care, Alzheimer-Dementia
12 Disclosure Act Advisory Council, and website listing
13 disclosing facilities; including failure to provide
14 provision; providing for citation for certain
15 discrepancies; and providing an effective date.

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

17 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-879.2c, is
18 amended to read as follows:

19 Section 1-879.2c. A. 1. Pursuant to rules promulgated under
20 the provisions of the Alzheimer's Dementia and Other Forms of
21 Dementia Special Care Disclosure Act, any nursing facility,
22 residential care facility, assisted living facility, adult day care
23 center, continuum of care facility, or special care facility that
24 publicly advertises, intentionally markets, or otherwise engages in
25 promotional campaigns for the purpose of communicating that said
26 facility offers care, memory care, or treatment methods within the

1 facility that distinguish it as being especially applicable to or
2 suitable to persons with Alzheimer's dementia or other forms of
3 dementia diagnoses shall disclose the type of care, memory care or
4 treatment provided that distinguishes it as being especially
5 applicable to or suitable for such persons.

6 2. The disclosure shall be made using a form developed by the
7 State Department of Health and shall be made to:

- 8 a. the Department,
- 9 b. any representative of a person with Alzheimer's
10 dementia or other form of dementia who is considering
11 placement within a special care unit, program, or
12 facility, and
- 13 c. the State Long-Term Care Ombudsman.

14 3. A referral agency, when disclosing documents pursuant to
15 Section 1-866.2 of this title shall provide any representative of a
16 person with Alzheimer's dementia or other form of dementia who is
17 considering placement within a unit, program, or facility the form
18 for each facility the referral agency recommends.

19 4. The facility shall submit the disclosure form to the
20 Department prior to entering into any agreement to provide care or
21 services.

22 ~~4.~~ 5. The Department shall examine each disclosure for
23 completeness and accuracy at the time the disclosure is submitted to
24 the Department.

1 ~~5.~~ 6. The Department shall review the most recent disclosure in
2 the Department's records during the facility's regular inspection to
3 verify that the disclosure is current and that the services
4 described in the disclosure are provided to residents as described
5 in the disclosure.

6 7. The facility shall conspicuously post or display in the
7 facility or designated area that is providing care for persons with
8 Alzheimer's dementia or other forms of dementia a complaint poster
9 that if they were not given a copy of the disclosure form that they
10 may file a complaint with the Attorney General's Consumer Protection
11 Unit.

12 B. The information disclosed as required by this section shall
13 include the following areas:

14 1. A written description of the special care unit, program, or
15 facility's overall philosophy and mission as it relates to the needs
16 of residents with Alzheimer's dementia or other forms of dementia;

17 2. The process and criteria for placement in, or transfer or
18 discharge from, the unit, program, or facility;

19 3. The process used for assessment, establishment, and
20 implementation of a resident plan of care, as it relates to
21 Alzheimer's dementia and other forms of dementia, including the
22 method by which the plan evolves, the frequency of assessment, and
23 how the facility will respond to changes in the condition of the
24 resident;

1 4. Staff-to-resident ratios, staff training and continuing
2 education that are in addition to all regularly prescribed training
3 and are commensurate with the need for increased care and
4 supervision for residents with Alzheimer's dementia and other forms
5 of dementia;

6 5. The physical environment and design features appropriate to
7 support the functioning of cognitively impaired residents;

8 6. The types and frequency of resident activities designed for
9 residents with Alzheimer's dementia or other forms of dementia and
10 descriptions of those therapeutic activities designed to address
11 cognitive function and engage residents with varying stages of
12 dementia;

13 7. The involvement of families in care planning and other
14 aspects of care, and the availability of family support programs;

15 8. The fees for care and any additional fees; and

16 9. Any accreditations or certifications issued to the facility
17 related to the care and services provided to residents with
18 Alzheimer's dementia or other forms of dementia.

19 C. Any individual employed or contracted by a registered long-
20 term care facility who publicly advertises, intentionally markets,
21 or otherwise engages in promotional campaigns for the purpose of
22 communicating that said facility offers memory care, Alzheimer's
23 care, or dementia care if said facility does not meet the criteria
24 of a memory care, Alzheimer's care, or dementia care facility shall

1 be subject to penalties as outlined in section H of the Alzheimer's
2 Dementia and Other Forms of Dementia Special Care
3 Disclosure Act.

4 D. The Department, with input from the Alzheimer-Dementia
5 Disclosure Act Advisory Council, shall develop a standardized
6 disclosure form. Any change in the information initially submitted
7 by the facility or other entity shall be reported to the Department
8 at the time the change is made.

9 ~~D.~~ E. The provisions of this section shall not be construed to
10 preclude a facility without a special care unit or program from
11 admitting a person with Alzheimer's dementia or other forms of
12 dementia.

13 ~~E.~~ F. The State Commissioner of Health, with input from the
14 Alzheimer-Dementia Disclosure Act Advisory Council, shall promulgate
15 rules to effectuate the provisions of the Alzheimer's Dementia and
16 Other Forms of Dementia Special Care Disclosure Act.

17 ~~F.~~ G. There is hereby created the Alzheimer-Dementia Disclosure
18 Act Advisory Council. The Council shall make recommendations to the
19 State Commissioner of Health regarding the disclosure form and rules
20 promulgated pursuant to the Alzheimer's Dementia and Other Forms of
21 Dementia Special Care Disclosure Act.

22 1. The Council shall consist of nine (9) members to be
23 appointed by the State Commissioner of Health for such terms as he
24 or she chooses. The members shall be individuals who have knowledge

1 and expertise in the field of memory care or individuals who are
2 consumer representatives directly impacted by memory-care services,
3 provided that neither the members with knowledge and expertise in
4 the field nor the members who are consumer representatives shall
5 comprise more than two-thirds (2/3) of the total membership. The
6 members who are consumer representatives shall be individuals with
7 immediate family members who have received or are currently
8 receiving memory-care services in Oklahoma and shall not be
9 employees or board members of any facilities or entities subject to
10 the Alzheimer's Dementia and Other Forms of Dementia Special Care
11 Disclosure Act.

12 2. The members of the Council shall serve without compensation.

13 3. The Council shall conduct an organizational meeting at a
14 date and location to be chosen by the Commissioner and as frequently
15 thereafter as necessary to perform the duties imposed upon it. A
16 majority of the members present shall constitute a quorum.

17 4. Staff assistance for the Council shall be provided by the
18 staff of the State Department of Health.

19 ~~G.~~ H. Violation of any of the provisions of this act or the
20 rules issued pursuant to this act shall subject the offending
21 facility to the notice and enforcement provisions established for
22 the facility's license by the Department.

23 ~~H.~~ I. Any facility that offers specialized memory or dementia
24 care through a specific unit or program shall post the disclosure

1 form, including the information required to be included by this
2 section, on the facility's website.

3 ~~I.~~ J. The Department shall establish a website with a list of
4 those facilities that have filed a disclosure form pursuant to this
5 act. The website shall contain a link to the submitted disclosure
6 form and a table containing items from the disclosure form,
7 including staffing ratios, staff training, special programming and
8 activities, and accreditations or certifications.

9 SECTION 2. This act shall become effective November 1, 2025.

10

11 60-1-13184 TJ 03/05/25

12

13

14

15

16

17

18

19

20

21

22

23

24