

1 STATE OF OKLAHOMA

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

3 POLICY COMMITTEE  
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 2262

7 By: Miller

8 POLICY COMMITTEE RECOMMENDATION

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

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

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

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

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

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

9 a. the Department,

10 b. any representative of a person with Alzheimer's  
11 dementia or other form of dementia who is considering  
12 placement within a special care unit, program, or  
13 facility, and

14 c. the State Long-Term Care Ombudsman.

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

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

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1       ~~4.~~ 5. The Department shall examine each disclosure for  
2 completeness and accuracy at the time the disclosure is submitted to  
3 the Department.

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

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

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

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

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

22       3. The process used for assessment, establishment, and  
23 implementation of a resident plan of care, as it relates to  
24 Alzheimer's dementia and other forms of dementia, including the

1 method by which the plan evolves, the frequency of assessment, and  
2 how the facility will respond to changes in the condition of the  
3 resident;

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

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

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

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

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

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

22 C. The Department, with input from the Alzheimer-Dementia  
23 Disclosure Act Advisory Council, shall develop a standardized  
24 disclosure form. Any change in the information initially submitted

1 by the facility or other entity shall be reported to the Department  
2 at the time the change is made.

3 D. The provisions of this section shall not be construed to  
4 preclude a facility without a special care unit or program from  
5 admitting a person with Alzheimer's dementia or other forms of  
6 dementia.

7 E. The State Commissioner of Health, with input from the  
8 Alzheimer-Dementia Disclosure Act Advisory Council, shall promulgate  
9 rules to effectuate the provisions of the Alzheimer's Dementia and  
10 Other Forms of Dementia Special Care Disclosure Act.

11 F. There is hereby created the Alzheimer-Dementia Disclosure  
12 Act Advisory Council. The Council shall make recommendations to the  
13 State Commissioner of Health regarding the disclosure form and rules  
14 promulgated pursuant to the Alzheimer's Dementia and Other Forms of  
15 Dementia Special Care Disclosure Act.

16 1. The Council shall consist of nine (9) members to be  
17 appointed by the State Commissioner of Health for such terms as he  
18 or she chooses. The members shall be individuals who have knowledge  
19 and expertise in the field of memory care or individuals who are  
20 consumer representatives directly impacted by memory-care services,  
21 provided that neither the members with knowledge and expertise in  
22 the field nor the members who are consumer representatives shall  
23 comprise more than two-thirds (2/3) of the total membership. The  
24 members who are consumer representatives shall be individuals with

1 immediate family members who have received or are currently  
2 receiving memory-care services in Oklahoma and shall not be  
3 employees or board members of any facilities or entities subject to  
4 the Alzheimer's Dementia and Other Forms of Dementia Special Care  
5 Disclosure Act.

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

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

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

13 G. Violation of any of the provisions of this act or the rules  
14 issued pursuant to this act shall subject the offending facility to  
15 the notice and enforcement provisions established for the facility's  
16 license by the Department.

17 H. Any facility that offers specialized memory or dementia care  
18 through a specific unit or program shall post the disclosure form,  
19 including the information required to be included by this section,  
20 on the facility's website.

21 I. The Department shall establish a website with a list of  
22 those facilities that have filed a disclosure form pursuant to this  
23 act. The website shall contain a link to the submitted disclosure  
24 form and a table containing items from the disclosure form,

1 including staffing ratios, staff training, special programming and  
2 activities, and accreditations or certifications.

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