

1 ENGROSSED SENATE
2 BILL NO. 804

By: Pugh of the Senate

and

Stinson of the House

3
4
5
6 An Act relating to long-term care; amending 63 O.S.
7 2021, Section 1-890.3, which relates to rules
8 promulgated under the Continuum of Care and Assisted
9 Living Act; directing promulgation of specified
10 rules; updating statutory language; requiring
11 assisted living centers to establish internal quality
12 assurance committee; specifying committee duties and
13 membership composition; providing for codification;
14 and providing an effective date.

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

16 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-890.3, is
17 amended to read as follows:

18 Section 1-890.3. A. The State ~~Board~~ Commissioner of Health
19 shall promulgate rules necessary to implement the provisions of the
20 Continuum of Care and Assisted Living Act. Such rules shall
21 include, but shall not be limited to:

22 1. A uniform comprehensive resident screening instrument to
23 measure the needs and capabilities of residents in all settings and
24 to determine appropriate placements of residents;

2. Physical plant requirements meeting construction and life
safety codes, with provisions accommodating resident privacy and

1 independence in assisted living centers and in assisted living
2 components of continuum of care facilities based on the variable
3 capabilities of residents;

4 3. Staffing levels responsive to the variable needs of
5 residents, with provisions for sharing of staff between components
6 in a continuum of care facility;

7 4. Minimum standards for resident care including, but not
8 limited to, standards pertaining to medical care and administration
9 of medications. Standards pertaining to medication administration
10 shall, at a minimum, require the assisted living center or continuum
11 of care facility to:

12 a. provide or arrange qualified staff to administer
13 medications based on the needs of residents,

14 b. follow medication administration orders from a
15 qualified health care provider,

16 c. ensure that medications are reviewed monthly by a
17 Registered Nurse or pharmacist and quarterly by a
18 consultant pharmacist,

19 d. maintain medication administration records and
20 document all medication administration in such
21 records, and

22 e. have medication storage and disposal policies;

23 5. Standards for measuring quality outcomes for residents;

24

1 ~~5.~~ 6. Provisions for individualized services chosen by and
2 designed for each resident;

3 ~~6.~~ 7. Provisions to prohibit facility staff from disclosing a
4 resident's financial information to third parties without written
5 consent of the resident or the designated representative of the
6 resident;

7 ~~7.~~ 8. Procedures for inspections and investigations of licensed
8 entities to ensure compliance with the Continuum of Care and
9 Assisted Living Act and rules promulgated by the ~~Board~~ Commissioner;

10 ~~8.~~ 9. Enumeration of resident rights and responsibilities to be
11 observed by each facility and its staff. Such resident rights shall
12 include the freedom of choice regarding any personal attending
13 physicians and all other providers of medical services and supplies
14 without a financial penalty or fee charged by the assisted living
15 center;

16 ~~9.~~ 10. Provisions for a surety bond or deposit from each
17 applicant in an amount sufficient to guarantee that obligations to
18 residents will be performed, with provisions for reduction or waiver
19 of the surety bond or deposit when the assets of the applicant or
20 its contracts with other persons are sufficient to reasonably ensure
21 the performance of its obligations;

22 ~~10.~~ 11. Provisions for the development of a consumer guide or
23 similar resource to be posted on the Internet website of the State
24 Department of Health to assist individuals and families in

1 understanding the services provided by assisted living centers and
2 to compare and select a facility; ~~and~~

3 ~~11.~~ 12. Provisions for posting results of routine inspections
4 and any complaint investigations of each assisted living center on
5 the Internet website of the Department. Such information shall be
6 regularly updated to include the facility's plan of correction and
7 to indicate when a violation of a licensing regulation was corrected
8 by the facility; and

9 13. Provisions requiring execution of a plan of care and a
10 resident service contract with the resident or resident's
11 representative.

12 B. The nursing care service of a continuum of care facility
13 shall be subject to the requirements, procedures and remedies set
14 out in the Nursing Home Care Act, including provisions relating to
15 resident rights.

16 C. The adult day care component of a continuum of care facility
17 shall be subject to requirements and procedures specified under the
18 Adult Day Care Act.

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1-890.9 of Title 63, unless
21 there is created a duplication in numbering, reads as follows:

22 A. Each assisted living center shall establish and maintain an
23 internal quality assurance committee that meets at least quarterly.
24 The committee shall:

- 1 1. Monitor trends and incidents;
- 2 2. Monitor customer satisfaction measures;
- 3 3. Document quality assurance efforts and outcomes;
- 4 4. Recommend internal policies on resident care including, but
- 5 not limited to, policies on administration of medications; and
- 6 5. Perform such other duties or functions as directed by the
- 7 State Commissioner of Health through rule.

8 B. The quality assurance committee shall include at least the
9 following:

- 10 1. A Registered Nurse or physician if a medical problem is to
- 11 be monitored or investigated;
- 12 2. The assisted living center administrator;
- 13 3. A direct care staff person or a staff person who has
- 14 responsibility for administration of medications;
- 15 4. A pharmacist consultant if a medication problem is to be
- 16 monitored or investigated; and
- 17 5. A person who has an ownership stake in the assisted living
- 18 center, or his or her designee.

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

20
21
22
23
24

