

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

HOUSE BILL 1038

By: Kendrix

AS INTRODUCED

An Act relating to sunset; amending 63 O.S. 2021, Section 1-1923, as amended by Section 1, Chapter 197, O.S.L. 2023 (63 O.S. Supp. 2024, Section 1-1923), which relates to the Long-Term Care Facility Advisory Council; re-creating the Council; and modifying the termination date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-1923, as amended by Section 1, Chapter 197, O.S.L. 2023 (63 O.S. Supp. 2024, Section 1-1923), is amended to read as follows:

Section 1-1923. A. There is hereby re-created, to continue until July 1, ~~2025~~ 2026, in accordance with the provisions of the Oklahoma Sunset Law, a Long-Term Care Facility Advisory Council which shall be composed as follows:

1. The Governor shall appoint a thirteen-member Long-Term Care Facility Advisory Council which shall advise the State Commissioner of Health. The Advisory Council shall be comprised of the following persons:

- 1 a. one representative from the Oklahoma Health Care  
2 Authority, designated by the Administrator,  
3 b. one representative from the Department of Mental  
4 Health and Substance Abuse Services, designated by the  
5 Commissioner of Mental Health and Substance Abuse  
6 Services,  
7 c. one representative from the Department of Human  
8 Services, designated by the Director of Human  
9 Services,  
10 d. one member who shall be a licensed general  
11 practitioner of the medical or osteopathic profession,  
12 e. one member who shall be a registered pharmacist,  
13 f. one member who shall be a licensed registered nurse or  
14 licensed practical nurse,  
15 g. one member who shall be an operator-administrator of a  
16 nursing home which has a current license issued  
17 pursuant to the Nursing Home Care Act and who shall  
18 have had five (5) years' experience in the nursing  
19 home profession as an operator-administrator,  
20 h. one member who shall be an operator-administrator of a  
21 residential care home licensed pursuant to the  
22 provisions of the Residential Care Act,  
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- 1 i. one member who shall be an owner-operator of an adult  
2 day care facility licensed pursuant to the provisions  
3 of the Adult Day Care Act,  
4 j. one member who shall be an owner-operator of a  
5 continuum of care facility or assisted living center  
6 licensed pursuant to the provisions of the Continuum  
7 of Care and Assisted Living Act,  
8 k. two members who shall be over the age of sixty-five  
9 (65) who shall represent the general public and have  
10 no long-term care professional work history, and  
11 l. one member who shall be over the age of sixty-five  
12 (65) who shall represent the general public and who  
13 advocates for individuals receiving long-term care  
14 services; and

15 2. Appointments shall be for two-year terms. Members shall  
16 serve at the pleasure of their designators. Members may be  
17 reappointed not to exceed two terms. In case of a vacancy, the  
18 Governor shall appoint individuals to fill the remainder of the  
19 term.

20 B. The State Department of Health shall provide administrative  
21 support to perform designated duties of the Advisory Council. The  
22 Department shall also provide space for meetings of the Advisory  
23 Council.  
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1 C. The Advisory Council shall annually elect a chair, vice-  
2 chair and secretary-treasurer, shall meet at least quarterly, and  
3 may hold such special meetings as may be necessary. The members of  
4 the Advisory Council shall be reimbursed as provided for by the  
5 State Travel Reimbursement Act.

6 D. The Advisory Council shall have the power and duty to:

7 1. Serve as an advisory body to the Department for the  
8 development and improvement of services to and care and treatment of  
9 residents of facilities subject to the provisions of the Nursing  
10 Home Care Act, homes subject to the provisions of the Residential  
11 Care Act and facilities subject to the provisions of the Adult Day  
12 Care Act;

13 2. Review and make recommendations regarding quality of  
14 services, care, and treatment provided to individuals receiving  
15 services from entities that are subject to the Nursing Home Care  
16 Act, the Residential Care Act and the Adult Day Care Act; and

17 3. Evaluate and review the standards, practices, and procedures  
18 regarding the administration and enforcement of the provisions of  
19 the Nursing Home Care Act, the Residential Care Act and the Adult  
20 Day Care Act.

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