

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 392

By: Bergstrom

AS INTRODUCED

An Act relating to public health and safety; 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; extending sunset date; updating statutory language; providing an effective date; and declaring an emergency.

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~~ July 1, 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:

- a. one representative from the Oklahoma Health Care Authority, designated by the Administrator,
- b. one representative from the Department of Mental Health and Substance Abuse Services, designated by the Commissioner of Mental Health and Substance Abuse Services,
- c. one representative from the Department of Human Services, designated by the Director of Human Services,
- d. one member who shall be a licensed general practitioner of the medical or osteopathic profession,
- e. one member who shall be a registered pharmacist,
- f. one member who shall be a licensed ~~registered nurse~~ Registered Nurse or ~~licensed practical nurse~~ Licensed Practical Nurse,
- g. one member who shall be an operator-administrator of a nursing home which has a current license issued pursuant to the Nursing Home Care Act and who shall have had five (5) years' experience in the nursing home profession as an operator-administrator,
- h. one member who shall be an operator-administrator of a residential care home licensed pursuant to the provisions of the Residential Care Act,

- i. one member who shall be an owner-operator of an adult day care facility licensed pursuant to the provisions of the Adult Day Care Act,
- j. one member who shall be an owner-operator of a continuum of care facility or assisted living center licensed pursuant to the provisions of the Continuum of Care and Assisted Living Act,
- k. two members who shall be over the age of sixty-five (65) who shall represent the general public and have no long-term care professional work history, and
- l. one member who shall be over the age of sixty-five (65) who shall represent the general public and who advocates for individuals receiving long-term care services; and

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

B. The State Department of Health shall provide administrative support to perform designated duties of the Advisory Council. The Department shall also provide space for meetings of the Advisory Council.

1 C. The Advisory Council shall annually elect a chair, ~~vice-~~
2 ~~chair~~ vice chair and secretary-treasurer, shall meet at least
3 quarterly, and may hold such special meetings as may be necessary.
4 The members of the Advisory Council shall be reimbursed as provided
5 for by the 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.

21 SECTION 2. This act shall become effective July 1, 2025.

22 SECTION 3. It being immediately necessary for the preservation
23 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
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