

1                           **SENATE FLOOR VERSION**  
2                           April 14, 2025

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL NO. 2262

By: Miller, Fugate, Blancett,  
and Hill of the House

6                           and  
7                           Stanley of the Senate  
8

9 An Act relating to the 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; imposing certain duty  
on referral agencies; broadening applicability of  
certain penalties; requiring certain facilities to  
post specified information; updating statutory  
language; updating statutory references; and  
providing an effective date.

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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

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

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

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

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

1       4. The facility shall submit the disclosure form to the  
2 Department prior to entering into any agreement to provide care or  
3 services.

4       4. 5. The Department shall examine each disclosure for  
5 completeness and accuracy at the time the disclosure is submitted to  
6 the Department.

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

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

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

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

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

14       1. The Council shall consist of nine (9) members to be  
15 appointed by the State Commissioner of Health for such terms as he  
16 or she chooses. The members shall be individuals who have knowledge  
17 and expertise in the field of memory care or individuals who are  
18 consumer representatives directly impacted by memory-care services,  
19 provided that neither the members with knowledge and expertise in  
20 the field nor the members who are consumer representatives shall  
21 comprise more than two-thirds (2/3) of the total membership. The  
22 members who are consumer representatives shall be individuals with  
23 immediate family members who have received or are currently  
24 receiving memory-care services in Oklahoma and shall not be

1 employees or board members of any facilities or entities subject to  
2 the Alzheimer's Dementia and Other Forms of Dementia Special Care  
3 Disclosure Act.

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

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

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

11      G. Violation of If a facility described in paragraph 1 of  
12 subsection A of this section, or any individual employed or  
13 contracted by such facility, violates any of the provisions of this  
14 act the Alzheimer's Dementia and Other Forms of Dementia Special  
15 Care Disclosure Act or the rules issued pursuant to this act  
16 promulgated pursuant thereto, the facility shall be subject the  
17 offending facility to the notice and enforcement provisions  
18 established for the facility's license by the Department.

19      H. Any facility that offers specialized memory or dementia care  
20 through a specific unit or program shall post the:

21       1. The disclosure form, including the information required to  
22 be included by this section, on the facility's website; and

23       2. A poster, in a conspicuous location in the special care  
24 unit, program, or facility where care is provided for persons with

1     Alzheimer's dementia or other forms of dementia, stating that if  
2     such persons or their representatives were not given a copy of the  
3     disclosure form, they may file a complaint with the Consumer  
4     Protection Unit of the Office of the Attorney General.

5           I. The Department shall establish a website with a list of  
6     those facilities that have filed a disclosure form pursuant to ~~this~~  
7     ~~act~~ the Alzheimer's Dementia and Other Forms of Dementia Special  
8     Care Disclosure Act. The website shall contain a link to the  
9     submitted disclosure form and a table containing items from the  
10    disclosure form, including staffing ratios, staff training, special  
11    programming and activities, and accreditations or certifications.

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

13           COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
14           April 14, 2025 - DO PASS AS AMENDED BY CS

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