

An Act

ENROLLED SENATE
BILL NO. 804

By: Pugh of the Senate

and

Stinson and Pittman of the
House

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

SUBJECT: Long-term care

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

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

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

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

2. Physical plant requirements meeting construction and life safety codes, with provisions accommodating resident privacy and independence in assisted living centers and in assisted living

components of continuum of care facilities based on the variable capabilities of residents;

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

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

- a. provide or arrange qualified staff to administer medications based on the needs of residents,
- b. follow medication administration orders from a qualified health care provider,
- c. ensure that medications are reviewed monthly by a Registered Nurse or pharmacist and quarterly by a consultant pharmacist,
- d. maintain medication administration records and document all medication administration in such records, and
- e. have medication storage and disposal policies;

5. Standards for measuring quality outcomes for residents;

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

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

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

8. 9. Enumeration of resident rights and responsibilities to be observed by each facility and its staff. Such resident rights shall include the freedom of choice regarding any personal attending physicians and all other providers of medical services and supplies, providing that the minimum standards are met by the provider pursuant to the Continuum of Care and Assisted Living Act, without a financial penalty or fee charged by the assisted living center;

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

10. 11. Provisions for the development of a consumer guide or similar resource to be posted on the Internet website of the State Department of Health to assist individuals and families in understanding the services provided by assisted living centers and to compare and select a facility; and

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

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

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

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

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

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

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

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

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

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

Passed the Senate the 21st day of May, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the 7th day of May, 2025.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____. M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____. M.
By: _____