

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

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

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

6 and

7 Stanley of the Senate

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10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to the Alzheimer's Dementia and Other
12 Forms of Dementia Special Care Disclosure Act;
13 amending 63 O.S. 2021, Section 1-879.2c, which
14 relates to disclosure of care; imposing certain duty
15 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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18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-879.2c, is
20 amended to read as follows:

21 Section 1-879.2c. A. 1. Pursuant to rules promulgated under
22 the provisions of the Alzheimer's Dementia and Other Forms of
23 Dementia Special Care Disclosure Act, any nursing facility,
24 residential care facility, assisted living facility, adult day care

1 center, continuum of care facility, or special care facility that
2 publicly advertises, intentionally markets, or otherwise engages in
3 promotional campaigns for the purpose of communicating that ~~said~~
4 such facility offers care, memory care, or treatment methods within
5 the facility that distinguish it as being especially applicable to
6 or suitable to persons with Alzheimer's dementia or other forms of
7 dementia diagnoses shall disclose the type of care, memory care, or
8 treatment provided that distinguishes it as being especially
9 applicable to or suitable for such persons.

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

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

18 3. A referral agency, when disclosing documents pursuant to
19 Section 1-866.2 of this title, shall provide any representative of a
20 person who has notified the referral agency of a diagnosis of
21 Alzheimer's dementia or other form of dementia who is considering
22 placement within a unit, program, memory care, or facility
23 electronic or physical access to the form for each facility.

1 The Department of Health shall maintain a public searchable database
2 of forms. If no such form is available from the Department of
3 Health, this section shall not apply. Neither a facility nor a
4 referral agency shall be liable for the actions or inactions of the
5 other pursuant to this section.

6 4. The facility shall submit the disclosure form to the
7 Department prior to entering into any agreement to provide care or
8 services.

9 4. 5. The Department shall examine each disclosure for
10 completeness and accuracy at the time the disclosure is submitted to
11 the Department.

12 5. 6. The Department shall review the most recent disclosure in
13 the Department's records during the facility's regular inspection to
14 verify that the disclosure is current and that the services
15 described in the disclosure are provided to residents as described
16 in the disclosure.

17 B. The information disclosed as required by this section shall
18 include the following areas:

19 1. A written description of the special care unit, program, or
20 facility's overall philosophy and mission as it relates to the needs
21 of residents with Alzheimer's dementia or other forms of dementia;

22 2. The process and criteria for placement in, or transfer or
23 discharge from, the unit, program, or facility;

1 3. The process used for assessment, establishment, and
2 implementation of a resident plan of care, as it relates to
3 Alzheimer's dementia and other forms of dementia, including the
4 method by which the plan evolves, the frequency of assessment, and
5 how the facility will respond to changes in the condition of the
6 resident;

7 4. Staff-to-resident ratios, staff training and continuing
8 education that are in addition to all regularly prescribed training
9 and are commensurate with the need for increased care and
10 supervision for residents with Alzheimer's dementia and or other
11 forms of dementia;

12 5. The physical environment and design features appropriate to
13 support the functioning of cognitively impaired residents;

14 6. The types and frequency of resident activities designed for
15 residents with Alzheimer's dementia or other forms of dementia and
16 descriptions of those therapeutic activities designed to address
17 cognitive function and engage residents with varying stages of
18 dementia;

19 7. The involvement of families in care planning and other
20 aspects of care, and the availability of family support programs;

21 8. The fees for care and any additional fees; and

22 9. Any accreditations or certifications issued to the facility
23 related to the care and services provided to residents with
24 Alzheimer's dementia or other forms of dementia.

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

6 D. The provisions of this section shall not be construed to
7 preclude a facility without a special care unit or program from
8 admitting a person with Alzheimer's dementia or other forms of
9 dementia.

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

14 F. There is hereby created the Alzheimer-Dementia Disclosure
15 Act Advisory Council. The Council shall make recommendations to the
16 State Commissioner of Health regarding the disclosure form and rules
17 promulgated pursuant to the Alzheimer's Dementia and Other Forms of
18 Dementia Special Care Disclosure Act.

19 1. The Council shall consist of nine (9) members to be
20 appointed by the State Commissioner of Health for such terms as he
21 or she chooses. The members shall be individuals who have knowledge
22 and expertise in the field of memory care or individuals who are
23 consumer representatives directly impacted by memory-care services,
24 provided that neither the members with knowledge and expertise in

1 the field nor the members who are consumer representatives shall
2 comprise more than two-thirds (2/3) of the total membership. The
3 members who are consumer representatives shall be individuals with
4 immediate family members who have received or are currently
5 receiving memory-care services in Oklahoma and shall not be
6 employees or board members of any facilities or entities subject to
7 the Alzheimer's Dementia and Other Forms of Dementia Special Care
8 Disclosure Act.

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

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

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

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

1 H. Any facility that offers specialized memory or dementia care
2 through a specific unit or program shall post the:
3 1. The disclosure form, including the information required to
4 be included by this section, on the facility's website; and
5 2. A poster, in a conspicuous location in the special care
6 unit, program, or facility where care is provided for persons with
7 Alzheimer's dementia or other forms of dementia, stating that if
8 such persons or their representatives were not given a copy of the
9 disclosure form, they may file a complaint with the Consumer
10 Protection Unit of the Office of the Attorney General.

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

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

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