

ENGROSSED HOUSE
BILL NO. 1688

BY: THOMPSON, BASTIN,
PELTIER, HAMILTON
(Jeff), TYLER and BOYD
of the HOUSE

and

HOBSON of the SENATE

AN ACT RELATING TO PUBLIC HEALTH AND SAFETY;
REQUIRING OKLAHOMA STATE DEPARTMENT OF HEALTH TO
STUDY OPTIMUM RATIO OF DIRECT CARE STAFF TO
RESIDENTS; REQUIRING REPORTS; REQUIRING DEPARTMENT
OF HUMAN SERVICES TO STUDY CERTAIN COSTS OR COST
BENEFITS; PROVIDING FOR NONCODIFICATION; AND
PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. WHEREAS, the federal Omnibus Budget Reconciliation Act of 1987 required nursing facilities to provide 24-hour licensed nursing services and employ the services of a registered nurse at least 8 hours per day, 7 days per week; and

WHEREAS, minimum staffing requirements for other direct care nursing staff in nursing facilities has not yet been enacted by Congress; and

WHEREAS, adequate staffing is a basic requirement for quality care of residents of nursing homes; and

WHEREAS, due to economic constraints of public funds as well as private capital, adequate staffing may yet be a goal, not a reality; and

WHEREAS, it is a duty of the Legislature of this state to encourage improvements in our health care system.

SECTION 2. A. The State Department of Health shall conduct a study to determine the optimum ratio or ratios of direct care staff to residents of nursing facilities that are subject to the Nursing Home Care Act, and shall report the results of said study together with any recommendations for legislative or regulatory changes to the Speaker of the House of Representatives and the President Pro Tempore of the Senate on January 1, 1993.

B. The Department of Human Services shall study both Medicare and Medicaid payouts to help analyze the cost savings related to resident hospitalization, surgery, other therapies and treatments, and workers' compensation which may be achieved by mandatory increase in numbers of direct care nursing staff. The report shall be published on December 31, 1992.

SECTION 3. Sections 1 and 2 of this act shall not be codified in the Oklahoma Statutes.

SECTION 4. This act shall become effective September 1, 1992.

Passed the House of Representatives the 9th day of March, 1992.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate