

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 409

BY: RUBOTTOM

AS INTRODUCED

AN ACT RELATING TO PUBLIC HEALTH AND SAFETY; AMENDING 63 O.S. 1981, SECTION 1-851, AS LAST AMENDED BY SECTION 6, CHAPTER 227, O.S.L. 1989 (63 O.S. SUPP. 1990, SECTION 1-851), WHICH RELATES TO LONG-TERM CARE SERVICES; REQUIRING SUBMISSION OF CERTAIN PLANS THAT ARE INCONSISTENT WITH FEDERAL OPERATING STANDARDS; REQUIRING STATE DEPARTMENT OF HEALTH BE RESPONSIBLE FOR ENFORCEMENT OF FEDERAL OPERATING STANDARDS; REPEALING SECTIONS 5, 7, 8, 9, 10, 11, 12, 13, 14, 16 AND 17, CHAPTER 227, O.S.L. 1989 (63 O.S. SUPP. 1990, SECTIONS 1-850, 1-851.1, 1-851.2, 1-851.3, 1-852, 1-853, 1-854.1, 1-857, 1-857.2, 1-857.4 AND 1-858), WHICH RELATE TO THE LONG-TERM CARE CERTIFICATE OF NEED ACT; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 63 O.S. 1981, Section 1-851, as last amended by Section 6, Chapter 227, O.S.L. 1989 (63 O. S. Supp. 1990, Section 1-851), is amended to read as follows:

Section 1-851. The Legislature hereby declares that it is the public policy of the State of Oklahoma that the offering and

development of long-term care services should be made in a planned, orderly and economical manner consistent with and appropriate to services needed by people in various regions, districts or localities in the State of Oklahoma, and that it is essential to the realization of this public policy that the offering and development of long-term care services in the state be made in accordance with the needs for such services. It is the purpose of the Legislature ~~in enacting this act~~ to further this public policy by providing for the submittal of plans and applications, ~~and by prohibiting the offering, development or change of existing services prior to the issuance of a certificate of need by~~ to the State Department of Health that are consistent with federal operating standards. The State Department of Health shall be the state agency responsible for public and private enforcement of such federal standards.

SECTION 2. This act shall become effective September 1, 1991.

43-1-754

CJ