

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1519

By: Hefner

COMMITTEE SUBSTITUTE

An Act relating to public health and safety; amending 63 O.S. 1991, Section 1-1903, which relates to licenses required pursuant to the Nursing Home Care Act; requiring certain veterans centers to be licensed under such act; exempting certain facilities from certain requirements except under certain conditions; and declaring an emergency.

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

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-1903, is amended to read as follows:

Section 1-1903. A. No person shall establish, operate, or maintain in this state any facility without first obtaining a license as required by the Nursing Home Care Act.

B. The Nursing Home Care Act shall not apply to residential care homes or to hotels, motels, boarding houses or rooming houses, or other places that furnish board or room to their residents. ~~The Nursing Home Care Act shall not apply to Oklahoma State Veterans Centers and such other facilities which are under control of the Oklahoma War Veterans Commission.~~

C. Beginning on the effective date of this act, the Oklahoma War Veterans Commission may request licensure under the Nursing Home Care Act for any facilities controlled by the Oklahoma War Veterans Commission. Any such facility which was operational on the effective date of this act shall be regulated as an existing nursing or specialized facility for the purposes of meeting requirements imposed by, or administered under, the Public Health Code, Title 63 of the Oklahoma Statutes. The physical plants of

the existing facilities shall not be required to comply with physical plant or life safety standards applicable to new construction. An Oklahoma War Veterans Commission facility shall not be required to make a modification to comply with physical plant or life safety standards applicable to existing occupancies if the modification will impose an undue financial hardship on the facility, unless the Department first finds that the physical plant or life safety conditions pose an imminent threat to the health and safety of residents at the facility, or unless the facility undertakes a major renovation or expansion project. Certificate of Need review shall not be required for Oklahoma War Veterans Commission facilities. For Certificate of Need reviews of other facilities, the Oklahoma War Veterans Commission facilities shall be categorized as responding to a population with special health service needs, and shall not be treated as an alternative or substitute for nursing or specialized facilities not operated by the Oklahoma War Veterans Commission.

D. The Nursing Home Care Act shall not authorize any person to engage in any manner in the practice of the healing arts or the practice of medicine, as defined by law.

~~D.~~ E. The Nursing Home Care Act shall not apply to a facility which is not charging or receiving periodic compensation for services rendered, and not receiving any county, state, or federal assistance.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.