

An Act relating to aging; creating new title in the Oklahoma Statutes, Title 1A, to be known as Aging Services; specifying legislative intent; creating the Office of Aging Services within the Department of Human Services; defining terms; specifying certain powers, duties and responsibilities; providing for the qualifications, appointment, and responsibilities of the Director of the Office of Aging Services; creating the Elder Rights and Legal Assistance Services Development Division, the State Long-Term Care Ombudsman Division, and the Adult Protective Services Division; providing for certain programs administered by such Office; creating Aging Services Rule Advisory Council; providing duties and responsibilities; providing membership; providing organization, reimbursement and appointments; providing for certain space and staff assistance; providing for certain exceptions; providing for certain rulemaking authority; providing for certain public input; amending 56 O.S. 2001, Section 3100, which relates to duties of Aging Services Division; modifying duties; requiring that certain duties be performed and programs established by the Office of Aging Services within the Department of Human Services; clarifying responsibilities of Elder Rights and Legal Assistance Services Development Division; amending 63 O.S. 2001, Section 1-2212, which relates to the Long-Term Care Ombudsman Act; modifying and adding certain definitions; amending 63 O.S. 2001, Section 1-2213, which relates to the Office of the State Long-Term Care Ombudsman; modifying placement of the State Long-Term Care Ombudsman; requiring certain advice by the Aging Services Rule Advisory Council to the State Long-Term Care Ombudsman; clarifying certain duties and responsibilities of State Long-Term Care Ombudsman and certain representatives of such Ombudsman; clarifying procedures; amending 63 O.S. 2001, Section 1-2214, which relates to liability of State Long-Term Care Ombudsman regarding Governmental Tort Claims Act; clarifying scope of State Long-Term Care Ombudsman; amending 63 O.S. 2001, Section 1-2215, which relates to interference with certain official duties and retaliation or reprisal for filing certain complaints; clarifying certain responsibilities; amending 63 O.S. 2001, Section 1-2216, which relates to rulemaking authority of Commission for Human Services; providing for advice by the Aging Services Rule Advisory Council; amending 56 O.S. 2001, Section 163.1, which relates to local satellite meal sites administered with the Department of Human Services; providing for certain recommendations; amending 43A O.S. 2001, Section 10-103, as amended by Section 2, Chapter 332, O.S.L. 2003 (43A O.S. Supp. 2003, Section 10-103), which relates to the Protective Services for Vulnerable Adults Act; modifying certain definitions; adding certain definitions; amending 43A O.S. 2001, Section 10-104, as amended by Section 1, Chapter 399, O.S.L. 2003 (43A O.S. Supp. 2003, Section 10-104), which relates to persons required to report abuse, neglect, or exploitation; clarifying certain reporting procedures in certain circumstances; allowing for certain advice by certain Council in the promulgation of rules by certain Commission; amending 43A O.S. 2001, Section 10-105.1, as amended by Section 5, Chapter 332, O.S.L. 2003 (43A O.S. Supp. 2003, Section 10-105.1), which relates to notice of investigation; specifying certain procedures relating to investigation; clarifying certain consent to voluntary services by certain persons; clarifying responsibilities and duties of Adult Protective Services Division; amending 43A O.S. 2001, Section 10-105, as amended by Section 2, Chapter 399, O.S.L. 2003 (43A O.S. Supp. 2003, Section 10-105), which relates to investigation of report; clarifying processes and procedures; clarifying certain notification process under certain circumstances;

clarifying certain visitation and interview procedures; clarifying procedures; amending 43A O.S. 2001, Section 10-106, as amended by Section 6, Chapter 332, O.S.L. 2003 (43A O.S. Supp. 2003, Section 10-106), which relates to voluntary protective services; clarifying certain procedures used regarding voluntary protective services; clarifying certain court authorization; amending 43A O.S. 2001, Section 10-107, as amended by Section 7, Chapter 332, O.S.L. 2003 (43A O.S. Supp. 2003, Section 10-107), which relates to involuntary protective services; clarifying procedures used by the Adult Protective Services Division; clarifying when certain payments are to be made; amending 43A O.S. 2001, Section 10-108, as amended by Section 8, Chapter 332, O.S.L. 2003 (43A O.S. Supp. 2003, Section 10-108), which relates to petition for involuntary protective services; clarifying procedures and processes; amending 43A O.S. 2001, Section 10-109, which relates to utilization of available services; clarifying when certain protective services to be used; amending 43A O.S. 2001, Section 10-109a, which relates to uniform policies for the Department of Human Services' employees providing services to vulnerable adults; providing for advice by certain Council; amending 43A O.S. 2001, Section 10-110, which relates to confidentiality of records and reports; amending 43A O.S. 2001, Section 10-111, which relates to district court orders; clarifying procedures used by the Adult Protective Services Division; repealing 56 O.S. 2001, Sections 3001, 3002 and 3003, which relate to Coordination of Services for Older Oklahomans Act; repealing 63 O.S. 2001, Section 1-107.1A, which relates to Eldercare Revolving Fund; repealing 63 O.S. 2001, Section 1-111.1, which relates to Eldercare Program Advisory Committee; providing for codification; providing for noncodification; providing for recodification; providing an effective date; and declaring an emergency.