



1 1. The adequacy of financial resources for the acquisition,  
2 expansion, or establishment of a new long-term care facility and for  
3 the continued operation thereof;

4 2. The record of the applicant's current and prior ownership,  
5 operation, and management of similar facilities in this state and in  
6 any other state. The investigation of such record shall include,  
7 but not be limited to, inquiry to the State Long-Term Care Ombudsman  
8 Office, the state Medicaid Fraud Control Unit, and the state  
9 licensure and certification agency;

10 3. If the applicant has holdings in Oklahoma, a review of  
11 minutes of family councils and residents' councils, and the  
12 facilities' responses, from each of the applicant's holdings in this  
13 state; and

14 4. Any other matter which the Department deems necessary and  
15 appropriate.

16 B. 1. The State Department of Health may approve an initial  
17 certificate of need for a not-for-profit life care community for  
18 nursing care beds that does not exceed twenty percent (20%) of the  
19 total number of units in the life care community for which no  
20 certificate of need is required.

21 2. Approval of the initial certificate of need shall include  
22 ~~authorization for an open admission period for not more than seven~~  
23 ~~(7) years following the initial licensure of nursing care beds in~~  
24 ~~the life care community. During the open admission period, the life~~

1 ~~care community may admit individuals who are not residents of the~~  
2 ~~life care community to the nursing care beds~~ open admission with  
3 respect to fifty percent (50%) of the nursing care beds. With  
4 respect to the remaining nursing care beds, open admission shall  
5 only be allowed during the first seven (7) years following the  
6 initial licensure of nursing care beds in the life care community.

7 3. Upon expiration of the one-time seven-year open admission  
8 period, with respect to fifty percent (50%) of the nursing care  
9 beds, a life care community that has obtained a certificate of need  
10 pursuant to this section shall admit only the following persons to  
11 its nursing care beds:

- 12 a. an individual who has executed a written agreement for  
13 services with the facility and who has been a bona  
14 fide resident of the portion of the life care  
15 community for which a certificate of need bed is not  
16 required for a period of at least thirty (30) days,
- 17 b. an individual who has executed a written agreement for  
18 services with the facility and who has been a bona  
19 fide resident of the portion of the life care  
20 community for which a certificate of need bed is not  
21 required for a period of less than thirty (30) days  
22 and requires skilled care that was not originally  
23 contemplated upon admission to the life care  
24 community,

1 c. an individual who has executed a written agreement for  
2 services with the facility and whose physician  
3 certifies that the individual is likely to be able to  
4 move to a portion of the life care community for which  
5 a certificate of need bed is not required in thirty  
6 (30) days or less after entering the life care  
7 community, or

8 d. an individual who is a family member (spouse, parent,  
9 child, sibling, aunt, uncle or first cousin by blood,  
10 marriage or adoption) of an individual who has  
11 executed a written agreement for services with the  
12 facility and resides in the portion of the life care  
13 community for which a certificate of need bed is not  
14 required.

15 C. The State Department of Health may approve a subsequent  
16 certificate of need for nursing care beds for a not-for-profit life  
17 care community that has obtained a certificate of need pursuant to  
18 this section when a subsequent application does not cause the  
19 nursing care beds to exceed twenty percent (20%) of the total number  
20 of units in the life care community for which no certificate of need  
21 is required. No open admission period shall be authorized for the  
22 additional nursing care beds.

1        D. The provisions of subsections B and C of this section shall  
2 apply to all certificates of need previously or hereafter granted  
3 pursuant to the provisions of this section.

4            SECTION 2. This act shall become effective November 1, 2014.

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6 COMMITTEE REPORT BY: COMMITTEE ON LONG-TERM CARE AND SENIOR  
7 SERVICES, dated 04/01/2014 - DO PASS.

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