

1 ENGROSSED SENATE
2 BILL NO. 578

By: Shaw and Pittman of the
Senate

3 and

4 Cox of the House

5
6
7 An Act relating to offenders; amending 63 O.S. 2011,
8 Section 1-849, which relates to long-term care
9 facility for offenders; allowing the Department of
10 Corrections to recommend certain parole
11 considerations; providing definitions; providing for
12 recodification; and providing an effective date.

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

14 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-849, is
15 amended to read as follows:

16 Section 1-849. A. ~~The State Department of Health shall~~
17 ~~initiate a request for proposal for the operation of a stand-alone~~
18 ~~long-term care facility for sex offenders who are assigned a numeric~~
19 ~~risk level of II or III as provided in the Sex Offenders~~
20 ~~Registration Act. The request for proposal shall set forth~~
21 ~~surveillance and security specifications providing for heightened~~
22 ~~security of residents to protect the public and residents of the~~
23 ~~facility.~~

24 B. ~~The State Board of Health~~ Department of Corrections shall
promulgate rules and establish procedures necessary to ~~implement the~~

1 ~~request for proposal and the operation of the~~ allow the eligibility
2 of certain offenders to be considered for parole to a private stand-
3 alone long-term care facility for:

4 ~~Level II and III sex offenders~~ 1. Felony offenders; or

5 2. Any offender deemed by the Department of Corrections to be
6 either terminally ill or progressively debilitated as defined by the
7 medical profession.

8 B. For the purpose of this section:

9 1. Terminally ill means having a condition that reasonably may
10 be expected to result in death within twenty-four (24) months;

11 2. Long-term care facility means a health care facility, other
12 than a general acute or specialty hospital, constructed, licensed,
13 and operated to provide patient living accommodations, twenty-four
14 (24) hour staff availability, and at least two of the following
15 patient services:

16 a. a selection of patient care services, under the
17 direction and supervision of a registered nurse,
18 ranging from continuous medical, skilled nursing,
19 psychological, or other professional therapies to
20 intermittent health-related or paraprofessional care
21 services, and

22 b. a structured supportive living environment that
23 provides support or assistance with individual
24 activities of daily living;

