

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 578

By: Shaw

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6 AS INTRODUCED

7 An Act relating to sex offenders; amending 63 O.S.  
8 2011, Section 1-849, which relates to long-term care  
9 facility for sex offenders; allowing the Department  
of Corrections to initiate certain proposals;  
providing definitions; and providing an effective  
date.

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

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

15 Section 1-849. A. ~~The State Department of Health~~ Department of  
16 Corrections shall initiate a request for proposal for the operation  
17 of a stand-alone long-term care facility for:

18 1. sex Sex offenders who are assigned a numeric risk level of  
19 II or III as provided in the Sex Offenders Registration Act; or

20 2. Any incarcerated offender deemed by the Department of  
21 Corrections to be either critically or terminally ill.

22 The request for proposal shall set forth surveillance and  
23 security specifications providing for heightened security of  
24 residents to protect the public and residents of the facility.

1 B. ~~The State Board of Health~~ Department of Corrections shall  
2 promulgate rules and establish procedures necessary to implement the  
3 request for proposal and the operation of the stand-alone long-term  
4 care facility for:

5 1. Level II and III sex offenders; or

6 2. Any offender deemed by the Department of Corrections to be  
7 either critically or terminally ill.

8 C. For the purpose of this section:

9 1. Critically ill means:

10 a. being unable to perform at least two (2) activities of  
11 daily living, such as eating, toileting, moving from  
12 one place to another, bathing, dressing or being able  
13 to self-medicate;

14 b. requiring substantial supervision for protection from  
15 threats to health and safety because of a severe  
16 cognitive impairment.

17 2. Terminally ill means having a condition that reasonably may  
18 be expected to result in death within twenty-four (24) months.

19 3. Long-term care facility means a health care facility, other  
20 than a general acute or specialty hospital, constructed, licensed,  
21 and operated to provide patient living accommodations, twenty-four  
22 (24) hour staff availability, and at least two of the following  
23 patient services:  
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1           a. a selection of patient care services, under the  
2           direction and supervision of a registered nurse,  
3           ranging from continuous medical, skilled nursing,  
4           psychological, or other professional therapies to  
5           intermittent health-related or paraprofessional care  
6           services; and

7           b. a structured supportive living environment that  
8           provides support or assistance with individual  
9           activities of daily living.

10          SECTION 2. This act shall become effective November 1, 2015.

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12          55-1-413           BH           2/18/2016 7:09:10 PM