

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 1010 By: Kidd of the Senate  
3 and  
4 Pfeiffer of the House  
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7 An Act relating to the Oklahoma Farmed Cervidae Act;  
8 amending 2 O.S. 2021, Section 6-507, which relates to  
9 violations of transportation of live cervidae; and  
10 removing certain prohibition.

11 AUTHOR: Remove Representative Pfeiffer as principal House author  
12 and substitute with Representative Blancett

13 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill  
14 and insert:

15 "An Act relating to health; amending 63 O.S. 2021,  
16 Section 1-879.2c, which relates to the Alzheimer's  
17 Dementia and Other Forms of Dementia Special Care  
18 Disclosure Act; adding type of care; providing that  
19 certain individuals may be held liable for penalties  
20 and charged with a financial fine; and providing an  
effective date.

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

21 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-879.2c, is  
22 amended to read as follows:

23 Section 1-879.2c A. 1. Pursuant to rules promulgated under  
24 the provisions of the Alzheimer's Dementia and Other Forms of

1 Dementia Special Care Disclosure Act, any nursing facility,  
2 residential care facility, assisted living facility, adult day care  
3 center, continuum of care facility, or special care facility that  
4 publicly advertises, intentionally markets, or otherwise engages in  
5 promotional campaigns for the purpose of communicating that said  
6 facility offers care, memory care, or treatment methods within the  
7 facility that distinguish it as being especially applicable to or  
8 especially suitable ~~to~~ for persons with Alzheimer's dementia or  
9 other forms of dementia diagnoses shall disclose the type of care,  
10 memory care, or treatment provided that distinguishes it as being  
11 especially applicable to or suitable for such persons.

12 2. The disclosure shall be made using a form developed by the  
13 State Department of Health and shall be made to:

- 14 a. the Department,
- 15 b. any representative of a person with Alzheimer's  
16 dementia or other form of dementia who is considering  
17 placement within a special care unit, program, or  
18 facility, and
- 19 c. the State Long-Term Care Ombudsman.

20 3. The facility shall submit the disclosure form to the  
21 Department prior to entering into any agreement to provide care or  
22 services.

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1           4. The Department shall examine each disclosure for  
2 completeness and accuracy at the time the disclosure is submitted to  
3 the Department.

4           5. The Department shall review the most recent disclosure in  
5 the Department's records during the facility's regular inspection to  
6 verify that the disclosure is current and that the services  
7 described in the disclosure are provided to residents as described  
8 in the disclosure.

9           B. The information disclosed as required by this section shall  
10 include the following areas:

11           1. A written description of the special care unit, program, or  
12 facility's overall philosophy and mission as it relates to the needs  
13 of residents with Alzheimer's dementia or other forms of dementia;

14           2. The process and criteria for placement in, or transfer or  
15 discharge from, the unit, program, or facility;

16           3. The process used for assessment, establishment, and  
17 implementation of a resident plan of care, as it relates to  
18 Alzheimer's dementia and other forms of dementia, including the  
19 method by which the plan evolves, the frequency of assessment, and  
20 how the facility will respond to changes in the condition of the  
21 resident;

22           4. Staff-to-resident ratios, staff training and continuing  
23 education that are in addition to all regularly prescribed training  
24 and are commensurate with the need for increased care and

1 supervision for residents with Alzheimer's dementia and other forms  
2 of dementia;

3 5. The physical environment and design features appropriate to  
4 support the functioning of cognitively impaired residents;

5 6. The types and frequency of resident activities designed for  
6 residents with Alzheimer's dementia or other forms of dementia and  
7 descriptions of those therapeutic activities designed to address  
8 cognitive function and engage residents with varying stages of  
9 dementia;

10 7. The involvement of families in care planning and other  
11 aspects of care, and the availability of family support programs;

12 8. The fees for care and any additional fees; and

13 9. Any accreditations or certifications issued to the facility  
14 related to the care and services provided to residents with  
15 Alzheimer's dementia or other forms of dementia.

16 C. Any individual employed or contracted by a registered long-  
17 term care facility who publicly advertises, intentionally markets,  
18 or otherwise engages in promotional campaigns for the purpose of  
19 communicating that said facility offers memory care, Alzheimer's  
20 care, or dementia care if said facility does not meet the criteria  
21 of a memory care, Alzheimer's care, or dementia care facility may be  
22 liable for civil penalties, as determined by the State Commissioner  
23 of Health, to include a financial fine.

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1        D. The Department, with input from the Alzheimer-Dementia  
2 Disclosure Act Advisory Council, shall develop a standardized  
3 disclosure form. Any change in the information initially submitted  
4 by the facility or other entity shall be reported to the Department  
5 at the time the change is made.

6        ~~D.~~ E. The provisions of this section shall not be construed to  
7 preclude a facility without a special care unit or program from  
8 admitting a person with Alzheimer's dementia or other forms of  
9 dementia.

10        ~~E.~~ F. The State Commissioner of Health, with input from the  
11 Alzheimer-Dementia Disclosure Act Advisory Council, shall promulgate  
12 rules to effectuate the provisions of the Alzheimer's Dementia and  
13 Other Forms of Dementia Special Care Disclosure Act.

14        ~~F.~~ G. There is hereby created the Alzheimer-Dementia Disclosure  
15 Act Advisory Council. The Council shall make recommendations to the  
16 State Commissioner of Health regarding the disclosure form and rules  
17 promulgated pursuant to the Alzheimer's Dementia and Other Forms of  
18 Dementia Special Care Disclosure Act.

19        1. The Council shall consist of nine (9) members to be  
20 appointed by the State Commissioner of Health for such terms as he  
21 or she chooses. The members shall be individuals who have knowledge  
22 and expertise in the field of memory care or individuals who are  
23 consumer representatives directly impacted by memory-care services,  
24 provided that neither the members with knowledge and expertise in

1 the field nor the members who are consumer representatives shall  
2 comprise more than two-thirds (2/3) of the total membership. The  
3 members who are consumer representatives shall be individuals with  
4 immediate family members who have received or are currently  
5 receiving memory-care services in Oklahoma and shall not be  
6 employees or board members of any facilities or entities subject to  
7 the Alzheimer's Dementia and Other Forms of Dementia Special Care  
8 Disclosure Act.

9 2. The members of the Council shall serve without compensation.

10 3. The Council shall conduct an organizational meeting at a  
11 date and location to be chosen by the Commissioner and as frequently  
12 thereafter as necessary to perform the duties imposed upon it. A  
13 majority of the members present shall constitute a quorum.

14 4. Staff assistance for the Council shall be provided by the  
15 staff of the State Department of Health.

16 ~~G. H.~~ Violation of any of the provisions of ~~this act~~ the  
17 Alzheimer's Dementia and Other Forms of Dementia Special Care  
18 Disclosure Act or the rules issued pursuant to this act shall  
19 subject the offending facility to the notice and enforcement  
20 provisions established for the facility's license by the Department.

21 ~~H. I.~~ Any facility that offers specialized memory or dementia  
22 care through a specific unit or program shall post the disclosure  
23 form, including the information required to be included by this  
24 section, on the facility's website.

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~~F.~~ J. The Department shall establish a website with a list of those facilities that have filed a disclosure form pursuant to ~~this act~~ the Alzheimer's Dementia and Other Forms of Dementia Special Care Disclosure Act. The website shall contain a link to the submitted disclosure form and a table containing items from the disclosure form, including staffing ratios, staff training, special programming and activities, and accreditations or certifications.

SECTION 2. This act shall become effective November 1, 2023."

Passed the House of Representatives the 27th day of April, 2023.

\_\_\_\_\_  
Presiding Officer of the House of Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2023.

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Presiding Officer of the Senate

1 ENGROSSED SENATE  
2 BILL NO. 1010

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6 An Act relating to the Oklahoma Farmed Cervidae Act;  
7 amending 2 O.S. 2021, Section 6-507, which relates to  
8 violations of transportation of live cervidae; and  
9 removing certain prohibition.

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

11 SECTION 3. AMENDATORY 2 O.S. 2021, Section 6-507, is  
12 amended to read as follows:

13 Section 6-507. ~~A.~~ It shall be unlawful and a violation of the  
14 Oklahoma Farmed Cervidae Act for any person:

15 1. To refuse an inspection authorized by the Oklahoma Farmed  
16 Cervidae Act;

17 2. To commingle or integrate any native cervidae into a farmed  
18 cervidae herd;

19 3. To intentionally commingle or integrate any farmed cervidae  
20 with native cervidae;

21 4. To fail to maintain records as required by law;

22 5. To fail to maintain fencing as required by law;

23 6. To fail to pay any fee, fine, or penalty as required and  
24 established pursuant to the Oklahoma Farmed Cervidae Act;

1 7. To fail to comply with any State Board of Agriculture order;  
2 or

3 8. To violate any provision of the Oklahoma Farmed Cervidae  
4 Act.

5 ~~B. No person shall transport live cervidae into or through~~  
6 ~~Oklahoma unless the cervidae originate from a state that allows~~  
7 ~~transport of live cervidae from Oklahoma into or through that state.~~

8 Passed the Senate the 2nd day of March, 2023.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
13 2023.

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Presiding Officer of the House  
of Representatives

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