

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 804 By: Pugh of the Senate
3 and
4 Stinson of the House
5
6

7 An Act relating to long-term care; amending 63 O.S.
8 2021, Section 1-890.3, which relates to rules
9 promulgated under the Continuum of Care and Assisted
10 Living Act; directing promulgation of specified
11 rules; updating statutory language; requiring
12 assisted living centers to establish internal quality
13 assurance committee; specifying committee duties and
14 membership composition; providing for codification;
15 and providing an effective date.

16 AUTHOR: Add the following House Coauthor: Pittman

17 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill
18 and insert:
19

20 "An Act relating to long-term care; amending 63 O.S.
21 2021, Section 1-890.3, which relates to rules
22 promulgated under the Continuum of Care and Assisted
23 Living Act; directing promulgation of specified
24 rules; updating statutory language; requiring
assisted living centers to establish internal quality
assurance committee; specifying committee duties and
membership composition; providing for codification;
and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-890.3, is amended to read as follows:

Section 1-890.3. A. The State ~~Board~~ Commissioner of Health shall promulgate rules necessary to implement the provisions of the Continuum of Care and Assisted Living Act. Such rules shall include, but shall not be limited to:

1. A uniform comprehensive resident screening instrument to measure the needs and capabilities of residents in all settings and to determine appropriate placements of residents;

2. Physical plant requirements meeting construction and life safety codes, with provisions accommodating resident privacy and independence in assisted living centers and in assisted living components of continuum of care facilities based on the variable capabilities of residents;

3. Staffing levels responsive to the variable needs of residents, with provisions for sharing of staff between components in a continuum of care facility;

4. Minimum standards for resident care including, but not limited to, standards pertaining to medical care and administration of medications. Standards pertaining to medication administration

1 shall, at a minimum, require the assisted living center or continuum
2 of care facility to:

- 3 a. provide or arrange qualified staff to administer
4 medications based on the needs of residents,
- 5 b. follow medication administration orders from a
6 qualified health care provider,
- 7 c. ensure that medications are reviewed monthly by a
8 Registered Nurse or pharmacist and quarterly by a
9 consultant pharmacist,
- 10 d. maintain medication administration records and
11 document all medication administration in such
12 records, and
- 13 e. have medication storage and disposal policies;

14 5. Standards for measuring quality outcomes for residents;

15 ~~5.~~ 6. Provisions for individualized services chosen by and
16 designed for each resident;

17 ~~6.~~ 7. Provisions to prohibit facility staff from disclosing a
18 resident's financial information to third parties without written
19 consent of the resident or the designated representative of the
20 resident;

21 ~~7.~~ 8. Procedures for inspections and investigations of licensed
22 entities to ensure compliance with the Continuum of Care and
23 Assisted Living Act and rules promulgated by the ~~Board~~ Commissioner;
24

1 ~~8.~~ 9. Enumeration of resident rights and responsibilities to be
2 observed by each facility and its staff. Such resident rights shall
3 include the freedom of choice regarding any personal attending
4 physicians and all other providers of medical services and supplies,
5 providing that the minimum standards are met by the provider
6 pursuant to the Continuum of Care and Assisted Living Act, without a
7 financial penalty or fee charged by the assisted living center;

8 ~~9.~~ 10. Provisions for a surety bond or deposit from each
9 applicant in an amount sufficient to guarantee that obligations to
10 residents will be performed, with provisions for reduction or waiver
11 of the surety bond or deposit when the assets of the applicant or
12 its contracts with other persons are sufficient to reasonably ensure
13 the performance of its obligations;

14 ~~10.~~ 11. Provisions for the development of a consumer guide or
15 similar resource to be posted on the Internet website of the State
16 Department of Health to assist individuals and families in
17 understanding the services provided by assisted living centers and
18 to compare and select a facility; ~~and~~

19 ~~11.~~ 12. Provisions for posting results of routine inspections
20 and any complaint investigations of each assisted living center on
21 the Internet website of the Department. Such information shall be
22 regularly updated to include the facility's plan of correction and
23 to indicate when a violation of a licensing regulation was corrected
24 by the facility; and

1 13. Provisions requiring execution of a plan of care and a
2 resident service contract with the resident or resident's
3 representative.

4 B. The nursing care service of a continuum of care facility
5 shall be subject to the requirements, procedures and remedies set
6 out in the Nursing Home Care Act, including provisions relating to
7 resident rights.

8 C. The adult day care component of a continuum of care facility
9 shall be subject to requirements and procedures specified under the
10 Adult Day Care Act.

11 SECTION 2. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 1-890.9 of Title 63, unless
13 there is created a duplication in numbering, reads as follows:

14 A. Each assisted living center shall establish and maintain an
15 internal quality assurance committee that meets at least quarterly.
16 The committee shall:

- 17 1. Monitor trends and incidents;
- 18 2. Monitor customer satisfaction measures;
- 19 3. Document quality assurance efforts and outcomes;
- 20 4. Recommend internal policies on resident care including, but
21 not limited to, policies on administration of medications; and
- 22 5. Perform such other duties or functions as directed by the
23 State Commissioner of Health through rule.

1 B. The quality assurance committee shall include at least the
2 following:

3 1. A Registered Nurse or physician if a medical problem is to
4 be monitored or investigated;

5 2. The assisted living center administrator;

6 3. A direct care staff person or a staff person who has
7 responsibility for administration of medications;

8 4. A pharmacist consultant if a medication problem is to be
9 monitored or investigated; and

10 5. A person who has an ownership stake in the assisted living
11 center, or his or her designee.

12 SECTION 3. This act shall become effective November 1, 2025."

13 Passed the House of Representatives the 7th day of May, 2025.

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16 _____
Presiding Officer of the House of
Representatives

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18 Passed the Senate the ____ day of _____, 2025.

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20
21 _____
Presiding Officer of the Senate

1 ENGROSSED SENATE
2 BILL NO. 804

By: Pugh of the Senate

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4 Stinson of the House

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12 assurance committee; specifying committee duties and
13 membership composition; providing for codification;
14 and providing an effective date.

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

16 SECTION 4. AMENDATORY 63 O.S. 2021, Section 1-890.3, is
17 amended to read as follows:

18 Section 1-890.3. A. The State ~~Board~~ Commissioner of Health
19 shall promulgate rules necessary to implement the provisions of the
20 Continuum of Care and Assisted Living Act. Such rules shall
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23 measure the needs and capabilities of residents in all settings and
24 to determine appropriate placements of residents;

2. Physical plant requirements meeting construction and life
safety codes, with provisions accommodating resident privacy and

1 independence in assisted living centers and in assisted living
2 components of continuum of care facilities based on the variable
3 capabilities of residents;

4 3. Staffing levels responsive to the variable needs of
5 residents, with provisions for sharing of staff between components
6 in a continuum of care facility;

7 4. Minimum standards for resident care including, but not
8 limited to, standards pertaining to medical care and administration
9 of medications. Standards pertaining to medication administration
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11 of care facility to:

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15 qualified health care provider,

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17 Registered Nurse or pharmacist and quarterly by a
18 consultant pharmacist,

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17 applicant in an amount sufficient to guarantee that obligations to
18 residents will be performed, with provisions for reduction or waiver
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14 responsibility for administration of medications;

15 4. A pharmacist consultant if a medication problem is to be
16 monitored or investigated; and

17 5. A person who has an ownership stake in the assisted living
18 center, or his or her designee.

19 SECTION 6. This act shall become effective November 1, 2025.
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1 Passed the Senate the 26th day of March, 2025.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2025.

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8 _____
9 Presiding Officer of the House
10 of Representatives