

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 804

By: Pugh of the Senate

and

Stinson of the House

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10 COMMITTEE SUBSTITUTE

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

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

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

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

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

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

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

12 4. Minimum standards for resident care including, but not
13 limited to, standards pertaining to medical care and administration
14 of medications. Standards pertaining to medication administration
15 shall, at a minimum, require the assisted living center or continuum
16 of care facility to:

17 a. provide or arrange qualified staff to administer
18 medications based on the needs of residents,

19 b. follow medication administration orders from a
20 qualified health care provider,

21 c. ensure that medications are reviewed monthly by a
22 Registered Nurse or pharmacist and quarterly by a
23 consultant pharmacist,
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1 d. maintain medication administration records and
2 document all medication administration in such
3 records, and

4 e. have medication storage and disposal policies;

5 5. Standards for measuring quality outcomes for residents;

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

8 ~~6.~~ 7. Provisions to prohibit facility staff from disclosing a
9 resident's financial information to third parties without written
10 consent of the resident or the designated representative of the
11 resident;

12 ~~7.~~ 8. Procedures for inspections and investigations of licensed
13 entities to ensure compliance with the Continuum of Care and
14 Assisted Living Act and rules promulgated by the ~~Board~~ Commissioner;

15 ~~8.~~ 9. Enumeration of resident rights and responsibilities to be
16 observed by each facility and its staff. Such resident rights shall
17 include the freedom of choice regarding any personal attending
18 physicians and all other providers of medical services and supplies,
19 providing that the minimum standards are met by the provider
20 pursuant to the Continuum of Care and Assisted Living Act, without a
21 financial penalty or fee charged by the assisted living center;

22 ~~9.~~ 10. Provisions for a surety bond or deposit from each
23 applicant in an amount sufficient to guarantee that obligations to
24 residents will be performed, with provisions for reduction or waiver

1 of the surety bond or deposit when the assets of the applicant or
2 its contracts with other persons are sufficient to reasonably ensure
3 the performance of its obligations;

4 ~~10.~~ 11. Provisions for the development of a consumer guide or
5 similar resource to be posted on the Internet website of the State
6 Department of Health to assist individuals and families in
7 understanding the services provided by assisted living centers and
8 to compare and select a facility; ~~and~~

9 ~~11.~~ 12. Provisions for posting results of routine inspections
10 and any complaint investigations of each assisted living center on
11 the Internet website of the Department. Such information shall be
12 regularly updated to include the facility's plan of correction and
13 to indicate when a violation of a licensing regulation was corrected
14 by the facility; and

15 13. Provisions requiring execution of a plan of care and a
16 resident service contract with the resident or resident's
17 representative.

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

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

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

4 A. Each assisted living center shall establish and maintain an
5 internal quality assurance committee that meets at least quarterly.
6 The committee shall:

- 7 1. Monitor trends and incidents;
- 8 2. Monitor customer satisfaction measures;
- 9 3. Document quality assurance efforts and outcomes;
- 10 4. Recommend internal policies on resident care including, but
11 not limited to, policies on administration of medications; and
- 12 5. Perform such other duties or functions as directed by the
13 State Commissioner of Health through rule.

14 B. The quality assurance committee shall include at least the
15 following:

- 16 1. A Registered Nurse or physician if a medical problem is to
17 be monitored or investigated;
- 18 2. The assisted living center administrator;
- 19 3. A direct care staff person or a staff person who has
20 responsibility for administration of medications;
- 21 4. A pharmacist consultant if a medication problem is to be
22 monitored or investigated; and
- 23 5. A person who has an ownership stake in the assisted living
24 center, or his or her designee.

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

COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
OVERSIGHT, dated 04/16/2025 - DO PASS, As Amended.