

1 **SENATE FLOOR VERSION**

2 April 14, 2025

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 2262

By: Miller, Fugate, Blancett,
and Hill of the House

6 and

7 Stanley of the Senate

8
9 An Act relating to the Alzheimer's Dementia and Other
10 Forms of Dementia Special Care Disclosure Act;
11 amending 63 O.S. 2021, Section 1-879.2c, which
12 relates to disclosure of care; imposing certain duty
13 on referral agencies; broadening applicability of
14 certain penalties; requiring certain facilities to
15 post specified information; updating statutory
16 language; updating statutory references; and
17 providing an effective date.

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

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

21 Section 1-879.2c. A. 1. Pursuant to rules promulgated under
22 the provisions of the Alzheimer's Dementia and Other Forms of
23 Dementia Special Care Disclosure Act, any nursing facility,
24 residential care facility, assisted living facility, adult day care
center, continuum of care facility, or special care facility that
publicly advertises, intentionally markets, or otherwise engages in

1 promotional campaigns for the purpose of communicating that ~~said~~
2 such facility offers care, memory care, or treatment methods within
3 the facility that distinguish it as being especially applicable to
4 or suitable to persons with Alzheimer's dementia or other forms of
5 dementia diagnoses shall disclose the type of care, memory care, or
6 treatment provided that distinguishes it as being especially
7 applicable to or suitable for such persons.

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

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

16 3. A referral agency, when disclosing documents pursuant to
17 Section 1-866.2 of this title, shall provide any representative of a
18 person with Alzheimer's dementia or other form of dementia who is
19 considering placement within a special care unit, program, or
20 facility notice that the representative is entitled to request from
21 the unit, program, or facility the disclosure form for each facility
22 the referral agency recommends.
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1 4. The facility shall submit the disclosure form to the
2 Department prior to entering into any agreement to provide care or
3 services.

4 ~~4.~~ 5. The Department shall examine each disclosure for
5 completeness and accuracy at the time the disclosure is submitted to
6 the Department.

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

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

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

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

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

1 4. Staff-to-resident ratios, staff training and continuing
2 education that are in addition to all regularly prescribed training
3 and are commensurate with the need for increased care and
4 supervision for residents with Alzheimer's dementia ~~and~~ or other
5 forms of dementia;

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

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

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

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

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

19 C. The Department, with input from the Alzheimer-Dementia
20 Disclosure Act Advisory Council, shall develop a standardized
21 disclosure form. Any change in the information initially submitted
22 by the facility or other entity shall be reported to the Department
23 at the time the change is made.
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1 D. The provisions of this section shall not be construed to
2 preclude a facility without a special care unit or program from
3 admitting a person with Alzheimer's dementia or other forms of
4 dementia.

5 E. The State Commissioner of Health, with input from the
6 Alzheimer-Dementia Disclosure Act Advisory Council, shall promulgate
7 rules to effectuate the provisions of the Alzheimer's Dementia and
8 Other Forms of Dementia Special Care Disclosure Act.

9 F. There is hereby created the Alzheimer-Dementia Disclosure
10 Act Advisory Council. The Council shall make recommendations to the
11 State Commissioner of Health regarding the disclosure form and rules
12 promulgated pursuant to the Alzheimer's Dementia and Other Forms of
13 Dementia Special Care Disclosure Act.

14 1. The Council shall consist of nine (9) members to be
15 appointed by the State Commissioner of Health for such terms as he
16 or she chooses. The members shall be individuals who have knowledge
17 and expertise in the field of memory care or individuals who are
18 consumer representatives directly impacted by memory-care services,
19 provided that neither the members with knowledge and expertise in
20 the field nor the members who are consumer representatives shall
21 comprise more than two-thirds (2/3) of the total membership. The
22 members who are consumer representatives shall be individuals with
23 immediate family members who have received or are currently
24 receiving memory-care services in Oklahoma and shall not be

1 employees or board members of any facilities or entities subject to
2 the Alzheimer's Dementia and Other Forms of Dementia Special Care
3 Disclosure Act.

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

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

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

11 G. ~~Violation of~~ If a facility described in paragraph 1 of
12 subsection A of this section, or any individual employed or
13 contracted by such facility, violates any of the provisions of ~~this~~
14 ~~act~~ the Alzheimer's Dementia and Other Forms of Dementia Special
15 Care Disclosure Act or the rules ~~issued pursuant to this act~~
16 promulgated pursuant thereto, the facility shall be subject ~~the~~
17 ~~offending facility~~ to the notice and enforcement provisions
18 established for the facility's license by the Department.

19 H. Any facility that offers specialized memory or dementia care
20 through a specific unit or program shall post ~~the~~ the:

21 1. The disclosure form, including the information required to
22 be included by this section, on the facility's website; and

23 2. A poster, in a conspicuous location in the special care
24 unit, program, or facility where care is provided for persons with

1 Alzheimer's dementia or other forms of dementia, stating that if
2 such persons or their representatives were not given a copy of the
3 disclosure form, they may file a complaint with the Consumer
4 Protection Unit of the Office of the Attorney General.

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

12 SECTION 2. This act shall become effective November 1, 2025.

13 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
14 April 14, 2025 - DO PASS AS AMENDED BY CS
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