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February 13, 2025

SENATE BILL NO. 392

By: Bergstrom of the Senate

and

Kendrix of the House

An Act relating to public health and safety; amending 63 O.S. 2021, Section 1-1923, as amended by Section 1, Chapter 197, O.S.L. 2023 (63 O.S. Supp. 2024, Section 1-1923), which relates to the Long-Term Care Facility Advisory Council; extending sunset date; updating statutory language; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-1923, as amended by Section 1, Chapter 197, O.S.L. 2023 (63 O.S. Supp. 2024, Section 1-1923), is amended to read as follows:

Section 1-1923. A. There is hereby re-created, to continue until ~~July 1, 2025~~ July 1, 2026, in accordance with the provisions of the Oklahoma Sunset Law, a Long-Term Care Facility Advisory Council which shall be composed as follows:

1. The Governor shall appoint a thirteen-member Long-Term Care Facility Advisory Council which shall advise the State Commissioner

1 of Health. The Advisory Council shall be comprised of the following  
2 persons:

- 3 a. one representative from the Oklahoma Health Care  
4 Authority, designated by the Administrator,
- 5 b. one representative from the Department of Mental  
6 Health and Substance Abuse Services, designated by the  
7 Commissioner of Mental Health and Substance Abuse  
8 Services,
- 9 c. one representative from the Department of Human  
10 Services, designated by the Director of Human  
11 Services,
- 12 d. one member who shall be a licensed general  
13 practitioner of the medical or osteopathic profession,
- 14 e. one member who shall be a registered pharmacist,
- 15 f. one member who shall be a licensed ~~registered nurse~~  
16 Registered Nurse or ~~licensed practical nurse~~ Licensed  
17 Practical Nurse,
- 18 g. one member who shall be an operator-administrator of a  
19 nursing home which has a current license issued  
20 pursuant to the Nursing Home Care Act and who shall  
21 have had five (5) years' experience in the nursing  
22 home profession as an operator-administrator,

- 1           h.    one member who shall be an operator-administrator of a  
2                residential care home licensed pursuant to the  
3                provisions of the Residential Care Act,  
4           i.    one member who shall be an owner-operator of an adult  
5                day care facility licensed pursuant to the provisions  
6                of the Adult Day Care Act,  
7           j.    one member who shall be an owner-operator of a  
8                continuum of care facility or assisted living center  
9                licensed pursuant to the provisions of the Continuum  
10              of Care and Assisted Living Act,  
11          k.    two members who shall be over the age of sixty-five  
12                (65) who shall represent the general public and have  
13                no long-term care professional work history, and  
14          l.    one member who shall be over the age of sixty-five  
15                (65) who shall represent the general public and who  
16                advocates for individuals receiving long-term care  
17                services; and

18          2.    Appointments shall be for two-year terms. Members shall  
19                serve at the pleasure of their designators. Members may be  
20                reappointed not to exceed two terms. In case of a vacancy, the  
21                Governor shall appoint individuals to fill the remainder of the  
22                term.

23          B.    The State Department of Health shall provide administrative  
24                support to perform designated duties of the Advisory Council. The

1 Department shall also provide space for meetings of the Advisory  
2 Council.

3 C. The Advisory Council shall annually elect a chair, ~~vice-~~  
4 ~~chair~~ vice chair and secretary-treasurer, shall meet at least  
5 quarterly, and may hold such special meetings as may be necessary.  
6 The members of the Advisory Council shall be reimbursed as provided  
7 for by the State Travel Reimbursement Act.

8 D. The Advisory Council shall have the power and duty to:

9 1. Serve as an advisory body to the Department for the  
10 development and improvement of services to and care and treatment of  
11 residents of facilities subject to the provisions of the Nursing  
12 Home Care Act, homes subject to the provisions of the Residential  
13 Care Act and facilities subject to the provisions of the Adult Day  
14 Care Act;

15 2. Review and make recommendations regarding quality of  
16 services, care, and treatment provided to individuals receiving  
17 services from entities that are subject to the Nursing Home Care  
18 Act, the Residential Care Act and the Adult Day Care Act; and

19 3. Evaluate and review the standards, practices, and procedures  
20 regarding the administration and enforcement of the provisions of  
21 the Nursing Home Care Act, the Residential Care Act and the Adult  
22 Day Care Act.

23 SECTION 2. This act shall become effective July 1, 2025.  
24

SECTION 3. It being immediately necessary for the preservation  
of the public peace, health or safety, an emergency is hereby  
declared to exist, by reason whereof this act shall take effect and  
be in full force from and after its passage and approval.

COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES  
February 13, 2025 - DO PASS