

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 2566

6 By: Caldwell (Chad)

7 COMMITTEE SUBSTITUTE

8 An Act relating to long-term care; providing for  
9 visitation of residents in long-term care facilities;  
10 defining term; providing for health care provider  
11 access to residents of long-term care facilities;  
12 requiring long-term care facilities to submit and  
13 make available certain procedures; allowing  
14 restrictions by the State Department of Health or  
15 Centers for Medicare and Medicaid Services;  
16 prohibiting unilateral elimination of visitation;  
17 allowing for temporary suspension of visitation in  
18 certain circumstances; providing for codification;  
19 and declaring an emergency.

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

21 SECTION 1. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 1-1919.1 of Title 63, unless  
23 there is created a duplication in numbering, reads as follows:

24 A. Except as provided by Section 10-111 of Title 43A of the  
Oklahoma Statutes, every long-term care facility must provide  
reasonable access to a resident by immediate family, compassionate  
caregivers, other relatives of the resident, and the Oklahoma Long-

1 Term Care Ombudsman subject to the resident's or their legally  
2 appointed representative's right to deny or withdraw consent at any  
3 time. Compassionate caregivers may be family members, friends,  
4 volunteers, or other individuals identified by a resident, the  
5 resident's family, or facility staff, who assist residents with  
6 activities of daily living, such as bathing, dressing, and eating,  
7 or who provide emotional, mental, or spiritual support to residents.

8 B. Every long-term care facility must provide reasonable access  
9 to a resident by health care providers who are contracted with the  
10 facility to provide such care, subject to the resident's right to  
11 deny or withdraw consent at any time.

12 C. Long-term care facilities shall include and submit to the  
13 State Department of Health in their emergency preparedness plan  
14 procedures for visitation during an emergency. The visitation plan  
15 shall be made available by the facility to contracted health care  
16 providers, family members, and compassionate caregivers upon  
17 request. Visitation and access described in subsections A and B of  
18 this section may be subject to reasonable clinical and safety  
19 restrictions as ordered by the State Department of Health or the  
20 Centers for Medicare and Medicaid Services.

21 D. No long-term care facility shall unilaterally eliminate  
22 visitation for any reason; however, a facility may temporarily  
23 suspend visitation for a period not to exceed seventy-two (72) hours  
24

1 based upon the emergency preparedness plan provided to the State  
2 Department of Health.

3 SECTION 2. It being immediately necessary for the preservation  
4 of the public peace, health or safety, an emergency is hereby  
5 declared to exist, by reason whereof this act shall take effect and  
6 be in full force from and after its passage and approval.

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8 58-1-7556 AB 02/16/21

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