

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 2262

By: Miller

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6 AS INTRODUCED

7 An Act relating to Alzheimer's Dementia and Other  
8 Forms of Dementia Special Care Disclosure Act;  
9 amending 63 O.S. 2021, Section 1-879.2c, which  
10 relates to disclosure of care, Alzheimer and Dementia  
11 Disclosure Act Advisory Council, and website listing  
12 disclosing facilities; including failure to provide  
13 provision; providing for citation for certain  
14 discrepancies; and providing an effective date.

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

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

18 Section 1-879.2c. A. 1. Pursuant to rules promulgated under  
19 the provisions of the Alzheimer's Dementia and Other Forms of  
20 Dementia Special Care Disclosure Act, any nursing facility,  
21 residential care facility, assisted living facility, adult day care  
22 center, continuum of care facility, or special care facility that  
23 publicly advertises, intentionally markets, or otherwise engages in  
24 promotional campaigns for the purpose of communicating that said  
facility offers care or treatment methods within the facility that  
distinguish it as being especially applicable to or suitable to

1 persons with Alzheimer's dementia or other forms of dementia  
2 diagnoses shall disclose the type of care, memory care or treatment  
3 provided that distinguishes it as being especially applicable to or  
4 suitable for such persons.

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

7 a. the Department,

8 b. any representative of a person with Alzheimer's  
9 dementia or other form of dementia who is considering  
10 placement within a special care unit, program, or  
11 facility, and

12 c. the State Long-Term Care Ombudsman.

13 3. Failure to provide the disclosure form to any of the listed  
14 parties in paragraph 1 of this section could result in a consumer  
15 protection investigation by the Attorney General's office and the  
16 facility being held liable for fraudulent advertising or sales  
17 practices.

18 4. The facility shall submit the disclosure form to the  
19 Department prior to entering into any agreement to provide care or  
20 services.

21 ~~4.~~ 5. The Department shall examine each disclosure for  
22 completeness and accuracy at the time the disclosure is submitted to  
23 the Department.

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1       ~~5.~~ 6. The Department shall review the most recent disclosure in  
2 the Department's records during the facility's regular inspection to  
3 verify that the disclosure is current and that the services  
4 described in the disclosure are provided to residents as described  
5 in the disclosure. Should the Department find two (2) or more  
6 discrepancies in the care or services described in the disclosure  
7 and the care or services provided during an inspection, the  
8 Department may cite the facility.

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

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

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

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

22       4. Staff-to-resident ratios, staff training and continuing  
23 education that are in addition to all regularly prescribed training  
24 and are commensurate with the need for increased care and

1 supervision for residents with Alzheimer's dementia and other forms  
2 of dementia;

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

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

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

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

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

16 C. The Department, with input from the Alzheimer-Dementia  
17 Disclosure Act Advisory Council, shall develop a standardized  
18 disclosure form. Any change in the information initially submitted  
19 by the facility or other entity shall be reported to the Department  
20 at the time the change is made.

21 D. The provisions of this section shall not be construed to  
22 preclude a facility without a special care unit or program from  
23 admitting a person with Alzheimer's dementia or other forms of  
24 dementia.

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

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

10 1. The Council shall consist of nine (9) members to be  
11 appointed by the State Commissioner of Health for such terms as he  
12 or she chooses. The members shall be individuals who have knowledge  
13 and expertise in the field of memory care or individuals who are  
14 consumer representatives directly impacted by memory-care services,  
15 provided that neither the members with knowledge and expertise in  
16 the field nor the members who are consumer representatives shall  
17 comprise more than two-thirds (2/3) of the total membership. The  
18 members who are consumer representatives shall be individuals with  
19 immediate family members who have received or are currently  
20 receiving memory-care services in Oklahoma and shall not be  
21 employees or board members of any facilities or entities subject to  
22 the Alzheimer's Dementia and Other Forms of Dementia Special Care  
23 Disclosure Act.

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

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

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

7           G. Violation of any of the provisions of this act or the rules  
8 issued pursuant to this act shall subject the offending facility to  
9 the notice and enforcement provisions established for the facility's  
10 license by the Department.

11           H. Any facility that offers specialized memory or dementia care  
12 through a specific unit or program shall post the disclosure form,  
13 including the information required to be included by this section,  
14 on the facility's website.

15           I. The Department shall establish a website with a list of  
16 those facilities that have filed a disclosure form pursuant to this  
17 act. The website shall contain a link to the submitted disclosure  
18 form and a table containing items from the disclosure form,  
19 including staffing ratios, staff training, special programming and  
20 activities, and accreditations or certifications.

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

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23           60-1-10946           TJ           01/16/25  
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