

1 ENGROSSED HOUSE
2 BILL NO. 2566

By: Caldwell (Chad), Davis,
West (Tammy), Stark,
Conley, Dills, Boles, Lepak
and Russ of the House

4 and

5 McCortney of the Senate

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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.

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

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

A. Except as provided by Section 10-111 of Title 43A of the
Oklahoma Statutes, every long-term care facility, as defined in
Section 1-1945 of Title 63 of the Oklahoma Statutes, must provide
reasonable access to a resident by immediate family, compassionate

1 caregivers, other relatives of the resident, essential support
2 persons, and the Oklahoma Long-Term Care Ombudsman subject to the
3 resident's or, if they are incapacitated, their legally appointed
4 representative's right to deny or withdraw consent at any time.

5 Compassionate caregivers may be family members, friends, volunteers,
6 or other individuals identified by a resident, the resident's
7 family, or facility staff, who assist residents with activities of
8 daily living, such as bathing, dressing, and eating, or who provide
9 emotional, mental, or spiritual support to residents.

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

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

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1 D. No long-term care facility shall unilaterally eliminate
2 visitation for any reason; however, a facility may temporarily
3 suspend visitation for a period not to exceed seventy-two (72) hours
4 based upon the emergency-preparedness plan provided to the State
5 Department of Health.

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

10 Passed the House of Representatives the 9th day of March, 2021.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ___ day of _____, 2021.

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Presiding Officer of the Senate

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