

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2566

By: Caldwell (Chad), **Davis,**
West (Tammy) and **Stark**

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9 COMMITTEE SUBSTITUTE

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

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24 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 must provide

1 reasonable access to a resident by immediate family, compassionate
2 caregivers, other relatives of the resident, and the Oklahoma Long-
3 Term Care Ombudsman subject to the resident's or their legally
4 appointed representative's right to deny or withdraw consent at any
5 time. Compassionate caregivers may be family members, friends,
6 volunteers, or other individuals identified by a resident, the
7 resident's family, or facility staff, who assist residents with
8 activities of daily living, such as bathing, dressing, and eating,
9 or who provide 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, and compassionate caregivers upon
19 request. Visitation and access described in subsections A and B of
20 this section may be subject to reasonable clinical and safety
21 restrictions as ordered by the State Department of Health or the
22 Centers for Medicare and Medicaid Services.

23 D. No long-term care facility shall unilaterally eliminate
24 visitation for any reason; however, a facility may temporarily

1 suspend visitation for a period not to exceed seventy-two (72) hours
2 based upon the emergency preparedness plan provided to the State
3 Department of Health.

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

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9 COMMITTEE REPORT BY: COMMITTEE ON HEALTH SERVICES AND LONG-TERM
10 CARE, dated 02/18/2021 - DO PASS, As Amended and Coauthored.

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