

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2667

By: Cox

4  
5  
6 AS INTRODUCED

7 An Act relating the public health and safety;  
8 permitting residential care home to challenge  
9 statement of deficiency through informal or  
10 alternative dispute resolution; providing membership  
11 on certain panel; providing for codification; and  
12 providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 1-830.1 of Title 63, unless  
16 there is created a duplication in numbering, reads as follows:

17 A. Any residential care home, as defined in paragraph 12 of  
18 Section 1-820 of Title 63 of the Oklahoma Statutes, that wishes to  
19 challenge a statement of deficiency through either an informal  
20 dispute resolution process or an alternative informal dispute  
21 resolution process may make a written request to the State  
22 Department of Health within thirty (30) calendar days after the  
23 receipt of a statement of deficiencies from the Department.

24 B. The informal dispute resolution process for violations of  
the Residential Care Act or any rule promulgated pursuant thereto

1 shall follow the process contained in Sections 1-1914.3, 1-1914.4,  
2 subsections B and C of 1-1914.5 and 1-1914.6 through 1914.10 of  
3 Title 63 of the Oklahoma Statutes.

4 C. The alternative informal dispute resolution process for  
5 violations of the Residential Care Act or any rule promulgated  
6 pursuant thereto shall follow the process contained in Sections 1-  
7 1914.11 through 1-1914.16 of Title 63 of the Oklahoma Statutes.

8 D. An impartial decision-making panel for the alternative  
9 informal dispute resolution set forth in subsection C of this  
10 section shall be comprised of the following members:

11 1. Two (2) members who are representative volunteers who have  
12 experience in the operation of a residential care home;

13 2. One (1) member who is an employee of the Department and has  
14 experience in the survey process from residential care homes;

15 3. One (1) member who is a representative from the aging and  
16 disabled community and who does not represent a state agency; and

17 4. One (1) member who is a lay member and who is not employed  
18 by the Department.

19 SECTION 2. This act shall become effective November 1, 2016.

20

21 55-2-8020 AM 01/05/16

22

23

24