

1 **SENATE FLOOR VERSION**

2 April 4, 2016

3 ENGROSSED HOUSE  
4 BILL NO. 2667

By: Cox, Sherrer and Hoskin of  
the House

5 and

6 Yen of the Senate

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

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

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

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

1 B. The informal dispute resolution process for violations of  
2 the Residential Care Act or any rule promulgated pursuant thereto  
3 shall follow the process contained in Sections 1-1914.3, 1-1914.4,  
4 subsections B and C of 1-1914.5 and 1-1914.6 through 1914.10 of  
5 Title 63 of the Oklahoma Statutes.

6 C. The alternative informal dispute resolution process for  
7 violations of the Residential Care Act or any rule promulgated  
8 pursuant thereto shall follow the process contained in Sections 1-  
9 1914.11 through 1-1914.16 of Title 63 of the Oklahoma Statutes.

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

13 1. Two members who are representative volunteers who have  
14 experience in the operation of a residential care home;

15 2. One member who is an employee of the Department and has  
16 experience in the survey process from residential care homes;

17 3. One member who is a representative from the aging and  
18 disabled community and who does not represent a state agency; and

19 4. One member who is a lay member and who is not employed by  
20 the Department.

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

22 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
23 April 4, 2016 - DO PASS

24