

**RULE CHANGES BEING CONSIDERED BY THE BOARD OF HEALTH
FOR ITS FEBRUARY 20TH MEETING**

| OAC Title:Chapter | Contact Person | Name of Chapter |
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| 310:004 | Henry F. Hartsell | Certificate of Need Hearing Rules |

Summary: This rule sets out procedures for filing applications and making final decisions on certificate of need proposals for long term care, psychiatric, and chemical dependency treatment facilities. The amendments provide for consideration of written materials instead of oral presentations prior to a decision by the Commissioner on any type of project. Requirements relating to application filing fees and time deadlines are modified. The amendments specify conditions under which the review must be extended to persons with controlling interests, and they set the criterion for history of noncompliance. Application forms are described, and the amendments correct errors of spelling, grammar, format and construction in the rule text. The proposed changes are prompted by recent amendments to the Long Term Care Certificate of Need Act (63 O.S. Supp. 1996, Section 1-850 et seq.). The changes are intended to make the certificate of need review process conform to statutory provisions and to make the process less complex for all participants.

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| 310:215 | James L. Walker | Consumer Protection |
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Summary: This rule outlines the regulations to manufacture, renovate, and germicidally treat both new and used mattresses and bedding materials. The types of materials to be used as fill defined in the regulations are modified. The types of germicidal treatment regimens are modified. The requirements for law labels are modified. The permit application has been modified to include the non-revenue stamp permits if an establishment supplies more than 100 pieces of bedding to the State per calendar quarter. Corrections of spelling and grammar have been proposed. The proposed changes are prompted by changes in the Oklahoma Bedding Regulations Act (63 O.S. Supp 1996 Sections 1-1001.1 et seq.). The changes are intended to address techniques, materials, and practices presently used by bedding manufacturers, renovators, retailers, and those that do germicidal treatment.

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| 310:620 | Henry F. Hartsell | Certificate of Need Facility Acquisitions |
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Summary: This rule sets out standards for review of certificate of need applications filed for acquisitions of long term care, psychiatric, and chemical dependency treatment facilities. The amendments remove language which is inconsistent with the statute and adds a description of a form used to provide notice to residents and families. The amendments correct errors of spelling, grammar, format and construction in the rule text. The proposed changes are prompted by recent amendments to the Long Term Care Certificate of Need Act (63 O.S. Supp. 1996, Section 1-850 et seq.). The changes are intended to make the certificate of need review standards conform to statutory provisions and to make the process less complex for all participants.

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| 310:655 | Henry F. Hartsell | Certificate of Need HMO Licensure |
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Summary: This rule sets standards and procedures for health maintenance organization and prepaid health plan licensure. The amendments add language regarding contracts between licensed plans and health care providers. Provisions relating to utilization review, quality assurance, financial ability, and the application form are updated. Requirements relating to periodic examinations of HMOs are modified to include selection criteria for review organizations, review protocols, and quality assurance criteria. The term emergency is defined. The amendments correct errors of spelling, grammar, format and construction in the rule text. The proposed changes are prompted in part by a policy statement adopted by the Board of Health in February 1995. The changes are intended to protect members of the public enrolled in health maintenance organizations and prepaid health plans.

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| 310:657 | Henry F. Hartsell | Certificate of Need Workplace Medical Plans |
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Summary: This rule sets standards for certification of workplace medical plans. The amendments add language which permits plans to contract with insureds as well as insurers. The amendments correct errors of spelling, grammar, format and construction in the rule text. The proposed changes are prompted by recent amendments to the Workers' Compensation Act (85 O.S. Supp. 1996, Sections 3, 14, 14.2 and 14.3). The changes are intended to make the rules conform to statutory provisions and to make the certification process less complex for all participants.

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| 310:661 | Gary Glover | Medical Facilities Hospice Regulations |
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Summary: This proposal makes changes in the regulations required by amendments to the Oklahoma Hospice Licensing Act (63 O.S. 1991, Section 1-806.1 et seq. as amended by the 1996 O.S.L.). Provisions allowing hospices to operate without a license in communities with populations of 25,000 or less have been removed to conform to the amended law. Added provisions include base of operation requirements, license eligibility specifications, requirements for compliance with other laws and regulations, deadlines for application filing, filing location, transfer of ownership requirements, a description of the initial and renewal application forms, requirements for medical record archival, and rights and responsibility requirements. The proposal also clarifies certain definitions and corrects errors in grammar, format and rule construction.

Summary: This proposal makes changes required by amendments to the Home Care Act (63 O.S. Supp. 1992 1-1960 et. seq., as amended by 63 O.S. Supp. 1995 and 1996). Rule revisions required by statutory changes include: additional definitions; applicant information requirements; initial application fee; allowances for legal license assignment; acquisition requirements; license issuance and renewal requirements; application filing deadlines; financial requirements for agency operation; requirements for qualified administrators and designated alternates; restrictions on in-home assessments; and prohibitions on soliciting, coercing or harassing a consumer of home care or an individual who may need home care. Requirements for client care policies and infectious waste disposal were also added. This proposal corrects errors of spelling, grammar, format and construction in rule text.

The February Board of Health meeting is scheduled to begin at 1:00 p.m. in Room 307 of the Oklahoma State Department of Health building. Any person interested in receiving a copy of one or more of the draft rules listed above should submit a written request, or transmit a request by facsimile (405)271-3442, to the attention of the contact person shown above. The mailing address for all rules is: Oklahoma State Department of Health, Special Health Services, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299.