



Oklahoma State Department of Health  
James M. Crutcher, MD, MPH  
Commissioner of Health

December 27, 2005

The Honorable Brad Henry  
Governor of Oklahoma  
State Capitol Building  
2300 N. Lincoln Blvd., Room 212  
Oklahoma City, OK 73105

Dear Governor Henry:

Pursuant to O.S. 63-1-1923.D.5. of the Nursing Home Care Act, I submit the enclosed annual report of activities from the Long-Term Care Facility Advisory Board.

The 2005 Annual Report summarizes our activities for the improvement of services, care, and treatment to Oklahoma residents of nursing and specialized facilities, intermediate care facilities for persons with mental retardation, continuum of care and assisted living centers, residential care homes and participants in adult day care centers.

Respectfully,

Diane Hambric, Chair  
Long-Term Care Facility Advisory Board

xc: Representative Todd Hiatt, Speaker of the House of Representatives  
Senator Mike Morgan, President Pro Tempore of the Senate  
Terry L. Cline, Ph.D., Secretary of Health & Commissioner, Oklahoma  
Department of Mental Health & Substance Abuse Services  
Mike Fogarty, CEO, Oklahoma Health Care Authority  
Howard H. Hendrick, Cabinet Secretary for Human Services &  
Director, Oklahoma Department of Human Services  
James M. Crutcher, MD, MPH, Commissioner of Health & State Health Officer  
Oklahoma State Board of Health

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## 2005 ANNUAL REPORT LONG-TERM CARE FACILITY ADVISORY BOARD

The Long-Term Care (LTC) Facility Advisory Board held four regular meetings and one special meeting during 2005. The regular meetings were held February 9, May 11, August 10, and November 2. (Note: The November 9 meeting was amended and rescheduled for November 2.) A special meeting was held March 2, 2005 to continue discussion of proposed rule changes from the February 9, 2005 meeting. The following is a brief summary of issues discussed and/or actions taken by the LTC Facility Advisory Board.

The LTC Facility Advisory Board reviewed, recommended, amended, and/or approved proposed draft rule changes.

- Chapter 677. Nurse Aide Training and Certification 310:677.  
*These changes provided for permanent adoption of a rule that establishes eligibility requirements, process and conditions for obtaining a temporary emergency waiver of the law requiring use of certified nurse aides. There were amendments approved at the February 9 regular meeting.*
- Chapter 4. Certificate of Need Hearings.  
*These proposed amendments to the rules are consistent with the Long Term Care Certificate of Need Act, which was changed pursuant to Enrolled House Bill No. 2723. The proposal adds procedures to respond to staff reports of investigation and strengthens ownership and financial documentation requirements. There were amendments approved at the March 2 special meeting.*
- Chapter 620. Certificate of Need Standards for Health Care Facility Acquisitions.  
*These proposed amendments to the rules are consistent with the Long Term Care Certificate of Need Act, which was changed pursuant to Enrolled House Bill No. 2723. The proposal strengthens financial documentation requirements. There were amendments approved at the March 2 special meeting.*
- Chapter 675. Nursing and Specialized Facilities.  
*Discussion included the Pain Management Advisory Council recommendations and requirements for pain assessments per 63 O.S. Section 1-1918B. Amendments included requirements for nursing policies to address pain assessment and treatment, resident pain assessments, and facility staff training. No action taken at the May 11, 2005 regular meeting.*
- Chapter 675. Nursing and Specialized Facilities.  
*These proposed amendments defined a new Subchapter 19 establishing standards for training and registration of feeding assistants in Oklahoma in accordance with 42 Code of Federal Regulations Parts 483 and 488, and Section 13 of Enrolled House Bill No. 1688 of the 1st Session of the 50th Oklahoma Legislature. The intent is to give nursing, specialized nursing, and skilled nursing facilities the option to use paid feeding assistants, allowing them to provide more residents with help in eating and drinking and reduce the incidence of unplanned weight loss and dehydration. There were amendments approved at the August 10, 2005 regular meeting.*
- Chapter 677. Nurse Aide Training and Certification.  
*These proposed amendments to Subchapter 13 establish competency and practice standards for medication aides, create a list of skills and functions that medication aides may perform, specify certification and recertification requirements for medication aides, provide criteria and procedures for*

*approval of training programs, and establish procedures for administrative sanctions against certified medication aides. The amendments establish advanced training and certification requirements for administration of diabetic medications, and for administration of medications via nasogastric and gastrostomy routes, and administration of oral metered dose inhalers and nebulizers. The phrases, "stable diabetes" and "unstable diabetes" are defined. Requirements for facility policies and procedures on certified medication aides are established. The amendments affect the administration of medications in nursing facilities, specialized nursing facilities including ICF/MR and Alzheimer's facilities, continuum of care facilities, assisted living centers, adult day care centers, and residential care homes. There were amendments approved at the November 2, 2005 regular meeting.*

#### Ad Hoc Committees:

The Ad Hoc Safety of Medication Administration by Certified Medication Aides Committee was appointed at the August 11, 2004 meeting to study OAC 310:675-13 Certified Medication Aides (CMA's). *This Committee met January 20, April 26, August 10, September 8, and November 2 of 2005. Discussion issues included diabetes prevention and control; reporting mechanism regarding the administration of insulin; CMA competency and practice standards, skills and functions, training, and internal procedures currently used by nursing facilities, specialized facilities, continuum of care facilities, assisted living centers, adult day care centers, and residential care homes; and identify key issues to ensure safety of medication administration by CMAs.*

The Ad Hoc Assisted Living Regulation Review Committee was appointed at the August 11, 2004 meeting to take a broad look at Assisted Living Rules and Regulations. *This Committee met February 1 and April 26 of 2005. Discussion included staffing, how staffing decisions are made, fire code issues regarding self-preservation, and the rule language regarding involuntary transfers and discharges.*

The meeting agenda items are related to the Long-Term Care industry. The Advisory Board allocates time at each meeting to discuss any Long-Term Care issues that may become the responsibility of this Board at some future date.

The annual election of Advisory Board Officers was conducted at the November 2, 2005 regular meeting. Elected officers are Diane Hambric, Chair; Mich Magness, Vice-Chair; and Dewey Sherbon, Secretary-Treasurer.

The regular 2006 meetings are scheduled on February 8, May 10, August 9, and November 8. They were posted on the Secretary of State's website November 18, 2005.