



Oklahoma State Department of Health  
Creating a State of Health

January 1, 2012

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

Dear Governor Fallin:

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 2011 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.

We are happy to inform you that, due to recent new appointments and reappointments, we have been able to conduct official business during the year. The current twenty-seven (27) member board has four (4) vacancies and only eighteen (18) members with active appointments still serving on the committee.

Respectfully,

Wendell Short, Chair  
Long Term Care Facility Advisory Board

- c: Representative Kris Steele, Speaker of the House of Representatives  
Senator Brian Bingman, Senate President Pro Tempore  
Terri White, MSW, Commissioner, Oklahoma Department of  
Mental Health & Substance Abuse Services  
Michael Fogarty, CEO, Oklahoma Health Care Authority  
Howard H. Hendrick, Director, Oklahoma Department of Human Services  
Terry Cline, Ph.D., Commissioner of Health  
Secretary of Health and Human Services

Board of Health

Terry L Cline, PhD  
Commissioner of Health  
Secretary of Health  
and Human Services

Jenny Alexopoulos, DO, President  
Alfred Baldwin Jr.  
Martha A Burger

R Murali Krishna, MD, Vice President  
Glenn Davis, DDS  
Terry R Gerard, DO

Cris Hart-Wolfe, Secretary-Treasurer  
Barry L Smith, JD  
Ronald Woodson, MD

1000 NE 10<sup>TH</sup> Street  
Oklahoma City, OK 73117-1299  
[www.health.ok.gov](http://www.health.ok.gov)

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# Long Term Care Facility Advisory Board

**2011 Annual Report**

# LONG TERM CARE FACILITY ADVISORY BOARD

## 2011 ANNUAL REPORT

**PURPOSE:** The Long-Term Care Facility Advisory Board is authorized by Section 1-1923 of the Oklahoma Nursing Home Care Act {63 O.S. §§ 1-1900 et seq.}. The Advisory Board, consisting of twenty-seven (27) members, is appointed by the Governor and functions as a professional advisory body to the State Commissioner of Health.

As part of their routine activities, the Advisory Board serves:

- as an advisory body to the Department of Health for the development and improvement of services to and care and treatment of residents of facilities subject to the provision of the Nursing Home Care Act, the Residential Care Act, the Continuum of Care and Assisted Living Act, and the Adult Day Care Act,
- reviews, makes recommendations regarding and approves in its advisory capacity the system of standards developed by the Department of Health, evaluates and reviews the standards, practices and procedures of the Department of Health regarding the administration and enforcement of the provisions of the Nursing Home Care Act, the Residential Care Act, the Continuum of Care and Assisted Living Act, and the Adult Day Care Act, and the quality of services, care and treatment provided to residents of facilities and residential care homes and participants in adult day care centers.
- The Advisory Board may make recommendations to the Department of Health as necessary and appropriate.

The Advisory Board annually publishes a report of its activities and any recommendations for the improvement of services and care in long-term care facilities. The annual report is prepared for the Governor, the State Commissioner of Health, the State Board of Health, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the chief administrative officer of each agency affected by the report.

**SERVICES:** Long-Term Care facilities provide the following services in Oklahoma:

- Nursing Facilities provide twenty-four (24) hour skilled care and related services for residents who require medical or nursing care.
- Intermediate Care Facilities for the Mentally Retarded (ICF/MR) provide care designed to meet the needs of persons with developmental disabilities and who require special health and rehabilitation.
- Assisted Living Centers provide assistance with personal care, medications and ambulation. The center may also provide nursing supervision and information or unscheduled nursing care. An assisted living center cannot provide twenty-four (24) hour skilled nursing care as is provided in a nursing facility.

- Continuum of Care Facilities combine the services of a nursing facility with an assisted living center and/or an adult day care.
- Residential Care Homes offer or provide residential accommodations, food service and supportive assistance. A residential care home may provide assistance with meals, dressing, bathing and other personal needs, and it may assist in the administration of medication. However, it cannot provide medical care.
- Adult Day Care Centers provide basic day care services to unrelated impaired adults for more than four (4) hours in a twenty-four-hour period.

**PROVIDERS:** At the end of 2011, there were six hundred and forty one (641) long-term care facilities operating in Oklahoma.

- Nursing Facilities – 301
- Adult Day Care Centers – 38
- Assisted Living Centers – 123
- Continuum of Care Facilities – 14
- Intermediate Care Facilities for the Mentally Retarded (ICF/MR) – 86
- Residential Care Homes – 79

**VACANCIES:**

The Long Term Care Facility Advisory Board should consist of twenty-seven (27) members. Currently at the end of 2011 there are only eighteen (18) members with active appointments.

**ACTIVITIES:** The Long Term Care Facility Advisory Board met on a quarterly basis during 2011 to evaluate and review the standards and practices of the Department of Health in administration and enforcement of the provisions of the Nursing Home Care Act, the Residential Care Act, the Continuum of Care and Assisted Living Act, and the Adult Day Care Act. The Board received reports on emerging health care issues in long-term care facilities; rule and regulation review; introduction of a proposed Long Term Care Enrichment program; implementation of Quality Indicator Survey (QIS) process; and an overview of an awarded grant for a national background check system.

**STANDARDS REVIEWED:** At the October 12, 2011 meeting, the Advisory Board reviewed the following proposed amendments to Chapter 663, Continuum of Care and Assisted Living; Chapter 675, Nursing and Specialized Facilities; and Chapter 680, Residential Care Homes of the Oklahoma Administrative Code.

- Amendments to Chapter 663 address the need to establish the process for the imposition of remedies against a licensed continuum of care and/or assisted living center when such a center fails to comply with the provisions of the Continuum of Care and Assisted Living Act or any rule promulgated or order issued pursuant to the provisions of the Act; amends the current Definition section to include the definitions of “Deficiency,” “Immediate Jeopardy,” “Noncompliance,” “Plans of Correction,” “Survey Exit Date,” and amends the definition of “Chemical Restraint” and “Physical Restraint” to ensure that the state definition is the same as the federal definition.
- Amendments to Chapter 675 address the need to establish the process for the imposition of remedies against a licensed nursing and/or specialized facility when such a facility fails to comply with the provisions of the Nursing Home Care Act or any rule promulgated or order issued pursuant to the provisions of the Act; amends the current Definition section to include the definitions of “Deficiency,” “Immediate Jeopardy,” “Noncompliance,” “Plans of Correction,” “Significant Weight Loss,” “Survey Exit Date,” amends the definition of “Physical Restraint” to ensure that the state definition is the same as the federal definition; and amends the requirement for documenting percentages of consumed meals, supplements and meal replacements to only those residents receiving supplements or experiencing significant weight loss.
- Amendments to Chapter 680 address the need to establish the process for the imposition of remedies against a licensed residential care home when such a home fails to comply with the provisions of the Residential Care Act or any rule promulgated or order issued pursuant to the provisions of the Act; amends the current Definition section to include the definitions of “Deficiency,” “Immediate Jeopardy,” “Noncompliance,” “Plans of Correction,” and “Survey Exit Date.”

### **COMMITTEE REPORTS:**

Chairman Wendell Short formed a nomination committee to elect officers for 2011 at the July 14, 2010 meeting. The committee took action on the election of officers at the January 12, 2011 LTCFAB regular meeting. At the January 12, 2011 regular meeting, the nominating committee made a decision to allow the elected officers from 2010 to remain in their positions and not elect new officers until the following year. A motion was made by Kay Parsons to allow the elected officers from 2010 to remain in their positions and was seconded by Esther Houser. The LTCFAB members then proceeded to vote on the motion and subsequently approved the motion.

### **AGENDAS:**

The meeting agenda items addressed various aspects of the long-term care industry. These included proposed rule changes, adopted rule amendments, the Quality Indicators Survey process implementation, Long Term Care Enrichment Program, provider training schedules and topics, and the Oklahoma Long Term Care Background Check Program.

The Long-Term Care Facility Advisory Board allocated time at each regular meeting to discuss other long-term care issues that may become the responsibility of this Board at some future date.

**BOARD OFFICERS:**

Currently elected officers are Wendell Short, Chair; Kay Parsons, Vice-Chair; and Margaret Wallace, Secretary-Treasurer and these officers will remain in place until such time that official business can be conducted; a quorum can be obtained by the Long Term Care Facility Advisory Board, and a vote taken.

**MEETING SCHEDULE FOR 2012**

The 2012 regular meetings are scheduled on January 11, April 11, July 11, and October 10, 2012.