



Oklahoma State Department of Health
Creating a State of Health

LONG-TERM CARE FACILITY ADVISORY BOARD

Regular Meeting

January 9, 2019 at 1:30 in Room 1102

Oklahoma State Department of Health, 1000 N.E. 10th Street, Oklahoma City, OK 73117-1299

AGENDA

1. Call to Order.....Alan Mason, Chair
2. Roll Call.....Inez Bennett
3. Review and Action to Approve/Amend
the October 10, 2018 Regular Meeting minutesAlan Mason, Chair
4. Proposed Rulemaking Recommendations.....James Joslin
Pursuant to Title 63 of the Oklahoma Statutes, at section 1-1923(D), the Advisory Board shall have the power and duty to: ... 2. Review, make recommendations regarding, and approve in its advisory capacity the system of standards developed by the Department;

Discussion and possible action on approval and/or recommendations for adoption to the Commissioner of Health for the following proposed rules:

- A. CHAPTER 625. CERTIFICATE OF NEED STANDARDS FOR ~~ICF/MR~~ ICF/IID
- B. CHAPTER 630. CERTIFICATE OF NEED STANDARDS FOR LICENSED NURSING FACILITY BEDS
- C. CHAPTER 663. CONTINUUM OF CARE AND ASSISTED LIVING
- D. CHAPTER 675. NURSING AND SPECIALIZED FACILITIES
- E. CHAPTER 677. NURSE AIDE TRAINING AND CERTIFICATION

The proposed Chapter revisions will amend numerous sections within these chapters to replace the terms “Mental Retardation”, “Mentally Retarded” and “Qualified Mental Retardation Professional”. This proposal replaces the aforementioned terms with “Individuals with Intellectual Disabilities”, “Individuals with Developmental Disabilities”, or “Qualified Intellectual Disability Professional”. Pursuant to Title 25 O.S. § 40, statutes and administrative rules should avoid language that equates persons with their condition and should replace nonrespectful language by referring to persons with disabilities as persons first. Further, national organizations such as the Americans with Disabilities Act National Network, American Association on Intellectual and Developmental Disabilities and Centers for Medicare and Medicaid encourage use of more respectful language that has gained wide acceptance in recent disability laws.

In Chapter 675, a scrivener's error omitted the removal of a reference to the old life safety code in 310:675-11-5. This section was amended in 2016 to incorporate the 2012 edition of the Life Safety Code adopted by the Centers for Medicare & Medicaid Services. The amendment to this section addresses this omission by striking the old reference and supporting language applicable to the former code.

An amendment is provided at 310:675-5-1, related to plan review, to update the incorporation by reference from the National Bureau of Standards Fire Safety Evaluation System to the National Fire Protection Association's NFPA 101A Guide on Alternative Approaches to Life Safety, 2010 Edition. This update addresses the latest standards used by architect's and the Centers for Medicare and Medicaid Services (CMS). Similar updates are provided in a number of sections within Subchapter 5, Physical Plant, to explicitly identify the applicable portions of the National Fire Protection Association (NFPA) 101: Life Safety Code, 2012 Edition that applies to design and construction requirements.

In Chapter 677, this action will amend the classification of "Developmentally Disabled Direct Care Aides" to "ICF/IID Care Aides".

5. Nurse Staffing Hours in Nursing Facilities..... Esther Houser
Discussion of data now available from the Centers for Medicare and Medicaid Services via the implementation of the Payroll Based Journal. This data allows for comparison of reported nurse staffing hours across facilities, states, regions and the nation.
6. Licensure, Resident Assessment, Nurse Aide Registry,
and Background Check Update.....James Joslin
Updates on program activity and new developments
7. Presentation on MDS training.....Natashia Mason, Oklahoma Care Provider
8. Long Term Care Service Update..... Mike Cook
9. New BusinessAlan Mason, Chair
10. Public Comment
11. Adjourn