



OKLAHOMA STATE COURTS NETWORK

Title 63. Public Health and Safety

Oklahoma Statutes Citationized

Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

Long-Term Care Administrator Licensing Act

Article Article 19 - Nursing Home Care Act

Section 1-1949.1 - Short Title

Cite as: 63 O.S. § 1-1949.1 (OSCN 2025), Long-Term Care Administrator Licensing Act

This act shall be known and may be cited as the "Long-Term Care Administrator Licensing Act".

Historical Data

Laws 2023, HB 2824, c. 271, § 1, emerg. eff. May 22, 2023.

Citationizer® Summary of Documents Citing This Document

<i>Cite</i>	<i>Name Level</i>
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None Found.

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Title 63. Public Health and Safety

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Chapter 1 - Oklahoma Public Health Code

Long-Term Care Administrator Licensing Act

Article 19 - Nursing Home Care Act

Section 1-1949.2 - Definitions

Cite as: 63 O.S. § 1-1949.2 (OSCN 2025), Long-Term Care Administrator Licensing Act

For the purposes of this act:

1. "Long-term care administrator" means a person licensed or certified as a Tier 1 long-term care administrator or Tier 2 long-term care administrator under this act. A long-term care administrator must devote at least one-half (1/2) of such person's working time to on-the-job supervision of a long-term care facility; provided that this requirement shall not apply to an administrator of an intermediate care facility for individuals with intellectual disabilities with sixteen or fewer beds (ICF/IID-16), in which case the person licensed by the state may be in charge of more than one ICF/IID-16, if such facilities are located within a circle that has a radius not more than fifteen (15) miles, and the total number of facilities and beds does not exceed six facilities and sixty-four beds. The facilities may be free-standing in a community or may be on campus with a parent institution. The ICF/IID-16 may be independently owned and operated or may be part of a larger institutional ownership and operation;
2. "Tier 1 long-term care administrator" means a person licensed by this state to perform the duties of an administrator serving in a skilled nursing or nursing facility or an intermediate care facility for individuals with intellectual disabilities with seventeen or greater beds (ICF/IID);
3. "Tier 2 long-term care administrator" means a person licensed or certified by this state to perform the duties of an administrator serving in an assisted living facility, residential care facility, adult day care center, or intermediate care facility for individuals with intellectual disabilities with sixteen or fewer beds (ICF/IID-16);
4. "Nursing home", "rest home" and "specialized home" shall have the same meaning as the term "nursing facility" as such term is defined in the Nursing Home Care Act; "assisted living center" and "continuum of care facility" shall have the same meaning as such terms are defined in the Continuum of Care and Assisted Living Act; "home" and "residential care home" shall have the same meaning as the terms are used in the Residential Care Act; and "adult day care center" and "center" shall have the same meaning as such terms are used in the Adult Day Care Act.

Historical Data

Laws 1968, SB 643, c. 100, § 1, emerg. eff. April 1, 1968; Amended by Laws 1991, HB 1319, c. 168, § 1, emerg. eff. July 1, 1991; Amended by Laws 1995, SB 469, c. 289, § 1, eff. November 1, 1995; Amended by Laws 1996, SB 932, c. 118, § 2, eff. November 1, 1996; Amended by Laws 2005, HB 1453, c. 168, § 1, emerg. eff. May 13, 2005 ([superseded document available](#)); Amended by Laws 2006, SB 1850, c. 291, § 1, emerg. eff. July 1, 2006 ([superseded document available](#)); Amended by Laws 2011, HB 1282, c. 192, § 1, eff. November 1, 2011 ([superseded document available](#)); Amended by Laws 2019, HB 2341, c. 475, § 57, eff. November 1, 2019 ([superseded document available](#)); Amended by Laws 2023, HB 2824, c. 271, § 3 (Effective upon Certification by the State Commissioner of Health that the Conditions of Section 2 of this Act have been Met) ([superseded document available](#)); Renumbered from [63 O.S. 330.51](#) by Laws 2023, HB 2824, c. 271, § 12 (Effective upon Certification by the State Commissioner of Health that the Conditions of Section 2 of this Act have been Met).



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Chapter 1 - Oklahoma Public Health Code

Long-Term Care Administrator Licensing Act

Article Article 19 - Nursing Home Care Act

Section 1-1949.3 - Licensing of Long-Term Care Administrators - Requirements - Fees - Rules -

Misdemeanor

Cite as: 63 O.S. § 1-1949.3 (OSCN 2025), Long-Term Care Administrator Licensing Act

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- A. The State Department of Health shall have authority to issue licenses or certifications to qualified persons as long-term care administrators in accordance with qualification criteria established by the State Commissioner of Health.
- B. No license or certification shall be issued to a person as a long-term care administrator unless:
1. The person shall have submitted evidence satisfactory to the Department that the person is:
 - a. not less than twenty-one (21) years of age, and
 - b. of reputable and responsible character; and
 2. The person shall have submitted evidence satisfactory to the Department of the person's ability to be licensed or certified to serve as a Tier 1 long-term care administrator or Tier 2 long-term care administrator.
- C. The Commissioner shall have the authority to determine the qualifications, skill, and fitness of any person to serve as a long-term care administrator under the applicable provisions of the Nursing Home Care Act, the Continuum of Care and Assisted Living Act, the Residential Care Act, and the Adult Day Care Act. The Commissioner shall promulgate rules to determine the qualifications for licensure or certification as a Tier 1 or Tier 2 long-term care administrator. Such rules may, at the discretion of the Commissioner, include a requirement for licensure instead of certification for either or both of the tiers of long-term care administrators.
- D. 1. All persons licensed or certified or lawfully serving as an administrator in their defined facility type shall be permitted to continue to serve in their current capacity under their current terms of authorization. The Commissioner may promulgate rules to address future certification and licensure requirements for both tiers of long-term care administrators without effect on the licensure or certification status of those currently certified or licensed. Until such rules are promulgated, current licensure and certification processes and standards shall remain in place.
2. To be eligible for licensure or certification as either a Tier 1 or Tier 2 long-term care administrator, the applicant shall have successfully completed a training and education program approved by the Commissioner.
3. The Commissioner shall not include a requirement for a four-year degree in any licensing or certification requirements for Tier 2 long-term care administrators.
4. In addition to the requirement provided by paragraph 2 of this subsection, to be eligible for licensure or certification as a Tier 1 long-term care administrator, the applicant shall:
- a. hold a baccalaureate degree from an institution of higher education, or
 - b. hold an associate degree in a health- or business-related field or other relevant field as determined by the Commissioner and have not less than five (5) years of experience in upper-level management of a long-term care facility as determined by the Commissioner.

E. Eligible applicants may sit for the state standards examination at a testing facility using procedures approved by the National Association of Long-Term Care Administrator Boards including, but not limited to, the use of electronic or online methods for examination.

F. The State Department of Health shall either:

1. Approve one or more organizations or agencies to provide training and education programs for long-term care administrators. Each such organization or agency shall meet such requirements as may be prescribed by rules promulgated by the State Commissioner of Health;
2. Offer a training and education program for long-term care administrators conducted by the Department; or
3. Both approve one or more organizations to provide training and education programs for long-term care administrators as described in paragraph 1 of this subsection and offer a training and education program for long-term care administrators conducted by the Department as described in paragraph 2 of this subsection.

G. 1. Each person licensed or certified as a long-term care administrator under the provisions of this act shall pay an annual license or certification fee which shall be deposited in the Long-Term Care Administrator Revolving Fund described in Section 7 of this act. Such fee shall be determined by the Commissioner. Each such license or certification shall expire on the thirty-first day of December following its issuance, and shall be renewable for a calendar year, upon meeting the renewal requirements and upon payment of the annual licensure or certification fee.

2. In addition to licensure and certification fees, the Commissioner may impose fees on agencies and organizations that provide training and education programs.

3. All revenues collected as a result of fees authorized in this section and imposed by the Commissioner shall be deposited into the Long-Term Care Administrator Revolving Fund described in Section 7 of this act.

H. The State Commissioner of Health shall promulgate rules to provide for licensure or certification by endorsement of long-term care administrators who are licensed or certified in other states that have requirements for licensure or certification of long-term care administrators that are substantially equivalent to or greater than the requirements of this state, as determined by the Commissioner.

I. It shall be unlawful for any person to act or serve in the capacity of a long-term care administrator unless the person is the holder of a license or certificate as a long-term care administrator, issued in accordance with the provisions of this act. A person found guilty of a violation of this subsection shall, upon conviction, be guilty of a misdemeanor.

Historical Data

Laws 1968, SB 643, c. 100, § 3, emerg. eff. April 1, 1968; Amended by Laws 1991, HB 1319, c. 168, § 3, emerg. eff. July 1, 1991; Amended by Laws 1995, SB 469, c. 289, § 2, eff. November 1, 1995; Amended by Laws 2006, SB 1850, c. 291, § 3, emerg. eff. July 1, 2006; Amended by Laws 2006, SB 1097, c. 273, § 2, emerg. eff. June 7, 2006 ([superseded document available](#)); Amended by Laws 2011, HB 1282, c. 192, § 3, eff. November 1, 2011 ([superseded document available](#)); Amended by Laws 2016, HB 2282, c. 241, § 1, eff. November 1, 2016 ([superseded document available](#)); Amended by Laws 2023, HB 2824, c. 271, § 5 (Effective upon Certification by the State Commissioner of Health that the Conditions of Section 2 of this Act have been Met) ([superseded document available](#)); Renumbered from [63 O.S. 330.53](#) by Laws 2023, HB 2824, c. 271, § 13 (Effective upon Certification by the State Commissioner of Health that the Conditions of Section 2 of this Act have been Met).

Citationizer[®] Summary of Documents Citing This Document

<i>Cite Name</i>	<i>Level</i>	
<i>Title 63. Public Health and Safety</i>		
<i>Cite</i>	<i>Name</i>	<i>Level</i>
63 O.S. 1-1949.4	Duties of State Department of Health or State Commissioner	<i>Cited</i>

Citationizer: Table of Authority

Cite Name**Level****Title 63. Public Health and Safety***Cite**Name**Level*63 O.S. 330.53,Licensing of Nursing Home Administrators*Cited*63 O.S. 330.53,Licensing of Long-Term Care Administrators*Cited*63 O.S. 330.53,Licensing of Long-Term Care Administrators*Cited*63 O.S. 330.53,Licensing of Long-Term Care Administrators*Cited*63 O.S. 330.53,Renumbered*Cited*



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Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

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Section 1-1949.4 - Duties of State Department of Health or State Commissioner

Cite as: 63 O.S. § 1-1949.4 (OSCN 2025), Long-Term Care Administrator Licensing Act

The State Department of Health or, as appropriate, the State Commissioner of Health shall:

1. Develop and apply standards for approval of training and education programs for long-term care administrators that meet the accreditation standards of the National Association of Long Term Care Administrator Boards and approve or offer training and education programs, or both, as described in subsection F of Section 1-1949.3 of this title;
2. Develop, impose, and enforce standards which must be met by individuals in order to receive a license or certification as a long-term care administrator, which standards shall be designed to ensure that long-term care administrators will be individuals who are of good character and are otherwise suitable, and who, by training or experience in the field of institutional administration, are qualified to serve as long-term care administrators;
3. Develop and apply appropriate techniques, including examinations and investigations, for determining whether an individual meets such standards;
4. Issue licenses or certifications to individuals determined, after the application of such techniques, to meet such standards. The Department may deny an initial application, deny a renewal application, and revoke or suspend licenses or certifications previously issued by the Department in any case where the individual holding any such license or certification is determined substantially to have failed to conform to the requirements of such standards. The Department may also warn, censure, impose administrative fines, or use other remedies that may be considered to be less than revocation and suspension. Administrative fines imposed pursuant to this section shall not exceed One Thousand Dollars (\$1,000.00) per violation. The Department shall consider the scope, severity, and repetition of the violation and any additional factors deemed appropriate by the Department when issuing a fine. The Department may utilize one or more administrative law judges to conduct administrative proceedings;
5. Establish and carry out procedures designed to ensure that individuals licensed or certified as long-term care administrators will, during any period that they serve as such, comply with the requirements of such standards;
6. Receive, investigate, and take appropriate action with respect to any charge or complaint filed with the Department to the effect that any individual licensed as a long-term care administrator has failed to comply with the requirements of such standards. The Office of the State Long-Term Care Ombudsman shall be notified of all complaint investigations of the Department so that they may be present at any such complaint investigation for the purpose of representing long-term care facility consumers;
7. Receive and take appropriate action on any complaint or referral received by the Department from the Department of Human Services or any other regulatory agency. A complaint shall not be published on the website of the Department unless there is a finding by the Department that the complaint has merit. The Commissioner shall promulgate rules that include, but are not limited to, provisions for:
 - a. establishing a complaint review process,
 - b. creating a formal complaint file,

- c. establishing a protocol for investigation of complaints, and
- d. establishing an independent informal dispute resolution process in accordance with Section 1-1949.7 of this title;
- 8. Enforce the provisions of the Long-Term Care Administrator Licensing Act against all persons who are in violation thereof including, but not limited to, individuals who are practicing or attempting to practice as long-term care administrators without proper authorization from the Department;
- 9. Conduct a continuing study and investigation of long-term care facilities and administrators of long-term care facilities within the state with a view toward the improvement of the standards imposed for the licensing or certifying of such administrators and of procedures and methods for the enforcement of such standards with respect to administrators of long-term care facilities who have been licensed or certified;
- 10. Cooperate with and provide assistance when necessary to state regulatory agencies in investigations of complaints;
- 11. Develop a code of ethics for long-term care administrators which includes, but is not limited to, a statement that administrators have a fiduciary duty to the facility and cannot serve as guardian of the person or of the estate, or hold a durable power of attorney or power of attorney for any resident of a facility of which they are an administrator;
- 12. Report a final adverse action against a long-term care administrator to the Healthcare Integrity and Protection Data Bank pursuant to federal regulatory requirements;
- 13. Refer completed investigations to the proper law enforcement authorities for prosecution of criminal activities;
- 14. Impose administrative fines, in an amount to be determined by the Commissioner, against persons who do not comply with the provisions of the Long-Term Care Administrator Licensing Act or the rules adopted by the Commissioner. Administrative fines imposed pursuant to this section shall not exceed One Thousand Dollars (\$1,000.00) per violation. The Department shall consider the scope, severity, and repetition of the violation and any additional factors deemed appropriate by the Department when issuing a fine;
- 15. Assess the costs of the hearing process, including attorney fees;
- 16. Grant short-term provisional licenses to individuals who do not meet all of the licensing requirements, provided the individual obtains the services of a currently licensed administrator to act as a consultant and meets any additional criteria for a provisional license established by the Commissioner;
- 17. Promulgate rules governing the employment of assistant administrators including, but not limited to, minimum qualifications; and
- 18. Employ such staff as may be necessary to carry out the duties of the Long-Term Care Administrator Licensing Act.

Historical Data

Laws 1968, SB 643, c. 100, § 8, emerg. eff. April 1, 1968; Amended by Laws 1980, HB 1852, c. 175, § 2, eff. October 1, 1980; Amended by Laws 1991, HB 1319, c. 168, § 6, eff. July 1, 1991; Amended by Laws 2005, HB 1453, c. 168, § 3, emerg. eff. May 13, 2005 (superseded document available); Amended by Laws 2006, SB 1850, c. 291, § 7, emerg. eff. July 1, 2006 (superseded document available); Amended by Laws 2007, SB 738, c. 347, § 11, eff. November 1, 2007 (superseded document available); Amended by Laws 2008, SB 2704, c. 411, § 2, eff. November 1, 2008 (superseded document available); Amended by Laws 2011, HB 1282, c. 192, § 6, eff. November 1, 2011 (superseded document available); Amended by Laws 2023, HB 2824, c. 271, § 6 (Effective upon Certification by the State Commissioner of Health that the Conditions of Section 2 of this Act have been Met) (superseded document available); Renumbered from 63 O.S. 330.58 by Laws 2023, HB 2824, c. 271, § 14 (Effective upon Certification by the State Commissioner of Health that the Conditions of Section 2 of this Act have been Met); Amended by Laws 2024, SB 1709, c. 339, § 12, eff. November 1, 2024 (superseded document available).

None Found.

Citationizer: Table of Authority**Cite Name****Level****Title 63. Public Health and Safety****Cite****Name****Level**63 O.S. 330.58,Duties of Board.

Cited

63 O.S. 330.58,Duties of Board

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63 O.S. 330.58,Duties of Board

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63 O.S. 330.58,Duties of Board

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63 O.S. 330.58,Duties of Board

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63 O.S. 330.58,Duties of Board

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63 O.S. 1-1949.7,Informal Dispute Resolution Process

Cited

63 O.S. 1-1949.3,Licensing of Long-Term Care Administrators - Requirements - Fees - Rules -

Cited

Misdemeanor63 O.S. 1-1949.4,Duties of State Department of Health or State Commissioner

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63 O.S. 330.58,Renumbered

Cited



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Section 1-1949.5 - Long-Term Care Administrator Revolving Fund

Cite as: 63 O.S. § 1-1949.5 (OSCN 2025), Long-Term Care Administrator Licensing Act

There is hereby created in the State Treasury a revolving fund for the State Department of Health to be designated the "Long-Term Care Administrator Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of such sources of income as are provided by law. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Department to carry out the duties established by this act. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

Historical Data

Laws 1988, HB 1565, c. 171, § 5, emerg. eff. July 1, 1988; Amended by Laws 1991, HB 1319, c. 168, § 8, emerg. eff. July 1, 1991; Amended by Laws 2006, SB 1850, c. 291, § 10, emerg. eff. July 1, 2006 ([superseded document available](#)); Amended by Laws 2012, HB 3079, c. 304, § 503 ([superseded document available](#)); Amended by Laws 2023, HB 2824, c. 271, § 7 (Effective upon Certification by the State Commissioner of Health that the Conditions of Section 2 of this Act have been Met) ([superseded document available](#)); Renumbered from [63 O.S. 330.62](#) by Laws 2023, HB 2824, c. 271, § 15 (Effective upon Certification by the State Commissioner of Health that the Conditions of Section 2 of this Act have been Met).

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None Found.

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Cite	Name	Level
63 O.S. 330.62	Creation of Oklahoma State Board of Examiners for Nursing Home Administrators Revolving Fund	Cited
63 O.S. 330.62	Oklahoma State Board of Examiners for Long-Term Care Administrators Revolving Fund	Cited
63 O.S. 330.62	Oklahoma State Board of Examiners for Long-Term Care Administrators Revolving Fund	Cited
63 O.S. 330.62	Renumbered	Cited



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Section 1-1949.6 - Investigation of Complaints - Investigation - Notice - Procedure - Registry of Complaints

Cite as: 63 O.S. § 1-1949.6 (OSCN 2025), Long-Term Care Administrator Licensing Act

A. Any person or agency may submit to the State Department of Health a complaint against a long-term care administrator. Complaints may also be generated by the Department. Each investigation of a complaint received by the Department shall be initiated within ninety (90) days from the date the complaint is received by the Department. Each complaint investigation shall be completed within twelve (12) months of initiation. The time period may be extended by the Department for good cause.

B. Upon conclusion of an investigation, if the Department determines that an administrator has violated this act, the Department shall promptly serve a notice of violation to the administrator. The notice of violation shall be prepared in writing and shall specify the nature of the violation or violations and the provision or provisions of state law or rule alleged to have been violated. The notice of violation shall inform the administrator of his or her right to an independent informal dispute resolution conducted in accordance with Section 9 of this act or a hearing conducted under subsection C of this section, or both, and instruction on how to seek an informal dispute resolution or hearing.

C. If the case is not resolved through the independent informal dispute resolution process prescribed by Section 9 of this act, the administrator shall be afforded notice and a hearing in accordance with the provisions of Article II of the Administrative Procedures Act. Any party aggrieved by a decision of the Department following a hearing may appeal directly to district court under Section 318 of Title 75 of the Oklahoma Statutes.

D. Notwithstanding any other provision of this section, the Department may order a summary suspension of an administrator's license or certification or an Administrator in Training (AIT) permit if, in the course of an investigation, it is determined that a licensee, certificate holder, or AIT candidate for licensure has engaged in conduct of a nature that is detrimental to the health, safety, or welfare of the public, and which conduct necessitates immediate action to prevent further harm. The Department shall immediately notify the licensee, certificate holder, or AIT candidate upon issuance of the order. The licensee, certificate holder, or AIT candidate shall have the right to contest the order at a hearing as provided by subsection C of this section.

E. To ensure the confidentiality of an investigative file obtained during the investigation, the information in the investigative file shall not be deemed to be a record as that term is defined in the Oklahoma Open Records Act nor shall the information be subject to subpoena or discovery in any civil or criminal proceeding, except that the Department may give the information to law enforcement and other state licensing agencies as necessary and appropriate in the discharge of the duties of that agency and only under circumstances that will ensure against unauthorized access to the information. The respondent may acquire information obtained during an investigation, unless the disclosure of the information is otherwise prohibited, if the respondent signs a protective order whereby the respondent agrees to use the information solely for the purpose of defense in the proceedings of the Department and in any appeal therefrom and agrees not to otherwise disclose the information.

F. The Department shall create and maintain a registry of all complaints or referrals, found by the Department to have merit, complaining of acts or omissions of licensed administrators. The registry shall be maintained in both electronic and paper formats and shall be available for inspection by the public. Such registry shall be organized both in chronological order by

the date of the complaint and by the name of the licensed administrator. The registry shall contain information about the nature of the complaint and the action, if any, taken by the Department. The registry shall also contain the number of complaints made against an individual administrator.

Historical Data

Laws 2005, HB 1453, c. 168, § 4, emerg. eff. May 13, 2005; Amended by Laws 2006, SB 1850, c. 291, § 11, emerg. eff. July 1, 2006 ([superseded document available](#)); Amended by Laws 2008, SB 2704, c. 411, § 3, eff. November 1, 2008 ([superseded document available](#)); Amended by Laws 2023, HB 2824, c. 271, § 8 (Effective upon Certification by the State Commissioner of Health that the Conditions of Section 2 of this Act have been Met) ([superseded document available](#)); Renumbered from [63 O.S. 330.64](#) by Laws 2023, HB 2824, c. 271, § 16 (Effective upon Certification by the State Commissioner of Health that the Conditions of Section 2 of this Act have been Met).

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<u>63 O.S. 330.64</u>	<u>Renumbered</u>	<i>Cited</i>
<u>63 O.S. 330.64</u>	<u>Investigation of Complaints - Registry of Complaints</u>	<i>Cited</i>
<u>63 O.S. 330.64</u>	<u>Investigation of Complaints - Registry of Complaints</u>	<i>Cited</i>
<u>63 O.S. 330.64</u>	<u>Investigation of Complaints - Registry of Complaints</u>	<i>Cited</i>



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Section 1-1949.7 - Informal Dispute Resolution Process

Cite as: 63 O.S. § 1-1949.7 (OSCN 2025), Long-Term Care Administrator Licensing Act

A. The Department shall give a long-term care administrator who the Department has determined, upon investigation, has violated the provisions of this act an opportunity to participate in an independent informal dispute resolution process of the case in accordance with this section. The Department may contract with a third-party vendor to provide the independent informal dispute resolution.

B. The administrator shall make a written request to the Department to participate in an informal dispute resolution. Upon receipt of such request, the Department shall:

1. Refer the case to the informal dispute resolution provider, if the Department contracts with a third-party vendor as described in subsection A of this section, and the informal dispute resolution provider shall:

- a. schedule a time and date for an informal dispute resolution meeting and inform the parties of such time and date, and
- b. appoint an impartial decision-making panel to conduct the informal dispute resolution as provided by subsection C of this section; or

2. If the Department does not contract with a third-party vendor as described in subsection A of this section, the Department shall:

- a. schedule a time and date for an informal dispute resolution meeting and inform the parties of such time and date, and
- b. appoint an impartial decision-making panel to conduct the informal dispute resolution as provided by subsection C of this section.

C. The impartial decision-making panel shall be a group of six (6) individuals who meet the following criteria:

1. Three members shall be impartial volunteers who have experience in the operation of the same type of long-term facility as the administrator who is the subject of the complaint. Such volunteers may include, but not be limited to, an administrator, assistant administrator, owner, operator, director of nursing, or compliance executive of an appropriate long-term care facility, but shall not include any person with a direct financial interest in any facility that employs or contracts with the administrator who is the subject of the complaint; and

2. Three members shall be persons representing the aging or disabled community, as appropriate for the type of long-term facility whose administrator is the subject of the complaint.

D. Each party shall submit to the impartial decision-making panel all documentary evidence that the party believes has a bearing on or relevance to the violation or violations alleged by the Department in the complaint.

E. The Department shall present initial arguments. The administrator shall then present his or her arguments. The informal dispute resolution shall be limited to no more than two (2) hours in length, with each party being permitted one (1) hour to present its arguments; however, the impartial decision-making panel may grant each party additional equal time for good cause as determined by the impartial decision-making panel.

F. Rules of evidence or procedure shall not apply to the informal dispute resolution except as provided in this section. The impartial decision-making panel may:

1. Accept any information that the impartial decision-making panel deems material to the issue being presented; and
2. Reject any information that the impartial decision-making panel deems immaterial to the issue being presented.

G. The informal dispute resolution may not be recorded; however, the impartial decision-making panel may make written or recorded notes of the arguments.

H. 1. Only employees of or health care providers contracted by the facility where the administrator who is the subject of the complaint is employed may appear or participate in the informal dispute resolution on behalf of the administrator, except that the administrator may call one character witness to appear and testify on his or her behalf.

2. Only employees of the Department may appear or participate at the meeting for, or on behalf of, the Department for the purpose of presenting arguments. In addition to such employees, one or more employees of the Department may provide technical assistance to the impartial decision-making panel at the panel's request. Any employee of the Department who participates in the informal dispute resolution process as described in this paragraph shall have no current involvement in long-term care facility surveys including but not limited to the informal dispute resolution process described in Section 1-1914.3 et seq. of Title 63 of the Oklahoma Statutes or the alternative informal dispute resolution process described in Section 1-1914.11 et seq. of Title 63 of the Oklahoma Statutes for long-term care facilities.

3. The State Long-Term Care Ombudsman or designee may appear at or participate in the informal dispute resolution.

4. No party may be represented by an attorney in the informal dispute resolution.

I. The informal dispute resolution process is limited to violations alleged by the Department in the complaint. If the impartial decision-making panel finds that matters not subject to the informal dispute resolution are presented, the impartial decision-making panel shall strike all documentary evidence related to or presented for the purpose of disputing the matter not subject to the informal dispute resolution. The impartial decision-making panel may not include in the statement of findings described in subsection J of this section any matter not subject to the informal dispute resolution.

J. Upon the conclusion of all arguments by the parties at the informal dispute resolution, the impartial decision-making panel shall issue a written statement of findings, which shall be provided to all parties and which shall include:

1. A summary of any alleged violations;
2. A statement of whether the impartial decision-making panel agrees that the alleged violation or violations occurred;
3. The facts and persuasive arguments that support the finding of the impartial decision-making panel for each alleged violation; and
4. A recommendation on appropriate disciplinary action against the administrator, if any.

K. If the impartial decision-making panel cannot reach a majority decision on the findings of the informal dispute resolution as described in subsection J of this section, the State Commissioner of Health may intervene for the purpose of breaking a tie.

L. The Department shall review the findings of the impartial decision-making panel and shall take such findings into consideration when determining whether to pursue further disciplinary action against the administrator.

Historical Data

Laws 2023, HB 2824, c. 271, § 9 (Effective upon Certification by the State Commissioner of Health that the Conditions of Section 2 of this Act have been Met).

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63 O.S. 1-1949.4,	<u>Duties of State Department of Health or State Commissioner</u>	Cited

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None Found.



OKLAHOMA STATE COURTS NETWORK

Title 63. Public Health and Safety

Oklahoma Statutes Citationized

Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

Long-Term Care Administrator Licensing Act

Article Article 19 - Nursing Home Care Act

Section 1-1949.8 - Promulgation of Rules

Cite as: 63 O.S. § 1-1949.8 (OSCN 2025), Long-Term Care Administrator Licensing Act

The State Commissioner of Health shall promulgate rules to implement the provisions of this act.

Historical Data

Laws 2023, HB 2824, c. 271, § 10 (Effective upon Certification by the State Commissioner of Health that the Conditions of Section 2 of this Act have been Met).

Citationizer[®] Summary of Documents Citing This Document

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