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Title 310@ Oklahoma State Department of Health

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Chapter 675@ Nursing and Specialized Facilities

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Subchapter 15@ Temporary Manager Or Receiver

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Section 310:675-15-5@ Notice of placing a temporary manager

## **310\_675-15-5 Notice of placing a temporary manager**

### **(a)**

Before placing a temporary manager in a facility, the Department shall give the owner of the building and the licensee, if different, advance written notice of intent as follows: (1) fifteen (15) days notice if residents have experienced widespread actual harm but are not in immediate jeopardy; or (2) two (2) days notice if residents are in immediate jeopardy; or (3) two (2) days notice if the facility is operating without a license.

#### **(1)**

fifteen (15) days notice if residents have experienced widespread actual harm but are not in immediate jeopardy; or

#### **(2)**

two (2) days notice if residents are in immediate jeopardy; or

#### **(3)**

two (2) days notice if the facility is operating without a license.

### **(b)**

If the Commissioner determines that conditions at a facility represent immediate jeopardy to residents and that the notice required in (a) of this section is likely to result in irreparable harm to residents, the Commissioner shall declare an emergency and appoint a temporary manager without prior notice to the owner of the building or the licensee. Upon appointing a temporary manager without prior

notice, the Commissioner shall notify the owner of the building and the licensee of the right to a hearing as provided in 63 O.S. Section 1-1914.2(B) and (C).

**(c)**

Written notice shall also be given to the Oklahoma Health Care Authority.