

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 2644

By: Boyd (Laura) and Anthony
of the House

and

Lawler of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to public health and safety; creating the Oklahoma Poison Control Act; defining terms; creating the Oklahoma Poison Control Center within the College of Pharmacy at the Oklahoma Health Sciences Center; providing for duties of the director; authorizing certain contracts; requiring certain compliance; creating the Oklahoma Poison Control Revolving Fund; providing purpose; providing for deposits and expenditures; amending 63 O.S. 1991, Section 2418, which relates to the telephone access line surcharge; redirecting certain portion of surcharge to the Oklahoma Poison Control Revolving Fund; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2654.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Oklahoma Poison Control Act".

B. As used in the Oklahoma Poison Control Act:

1. "Center" means the Oklahoma Poison Control Center; and

2. "Director" means the dean of the College of Pharmacy at the Oklahoma Health Sciences Center.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2654.2 of Title 63, unless there is created a duplication in numbering, reads as follows:

There is hereby created the Oklahoma Poison Control Center within the College of Pharmacy at the Oklahoma Health Sciences Center. The purpose of the center is to implement a statewide emergency poison and drug information program designed and structured to deliver reliable, accurate, qualified professional judgments and responses to requests for emergency poison and drug information data.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2654.3 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Director may:

1. Employ any and all coordination measures necessary to effectuate the purposes of the Oklahoma Poison Control Act;
2. Engage in any educational program or effort if, in the judgment of the Director, such activity would effectuate the purposes of the Oklahoma Poison Control Act;
3. Employ experts and consultants and compensate those individuals at rates determined by the Director;
4. Engage in programs of experimental or demonstrational research;
5. Appoint an advisory committee to assist in the development and review of rules promulgated under the authority of the Oklahoma Poison Control Act and reimburse the members for their expenses;
6. Accept and administer loans, grants, or other funds and gifts, conditional or otherwise, from the federal government and any and all other public or private sources;
7. Formulate, promulgate, adopt, amend, and enforce rules and regulatory standards necessary to effectuate the Oklahoma Poison Control Act; and
8. Establish and charge fees for the provision of nonemergency informational and educational services as well as contract therefor.

B. The Director shall contract with the University Hospitals Authority and the University of Oklahoma College of Medicine Department of Pediatrics to perform the services necessary to

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implement the Oklahoma Poison Control Act and to provide for medical supervision as needed.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2654.4 of Title 63, unless there is created a duplication in numbering, reads as follows:

The program of the center shall be structured and designed, to the extent resources permit, to meet the criteria for certification as a regional poison control center by the American Association of Poison Control Centers.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2654.5 of Title 63, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury the Oklahoma Poison Control Revolving Fund. The fund shall consist of monies as designated in Section 2418 of Title 63 of the Oklahoma Statutes. All monies accruing to said fund are hereby appropriated and may be budgeted and expended by the Oklahoma Health Sciences Center for the support and maintenance of the Oklahoma Poison Control Center. The fund shall be a continuing fund not subject to fiscal year limitations and expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims submitted to the Director of State Finance for the purpose of implementation of the Oklahoma Poison Control Act.

SECTION 6. AMENDATORY 63 O.S. 1991, Section 2418, is amended to read as follows:

Section 2418. A. There is hereby imposed a surcharge of five cents (\$0.05) per local exchange telephone access line per month to pay for the program provided for herein, ~~such~~ and the Oklahoma Poison Control Act. The surcharge ~~to~~ shall be paid by each local exchange subscriber to local telephone service in this state, unless such subscriber is otherwise exempt from taxation.

B. The surcharge shall be collected on the regular monthly bill by each local exchange telephone company operating in this state and shall be remitted quarterly to the Oklahoma Tax

Commission no later than fifteen (15) days following the end of each quarter.

C. Of the surcharge collected pursuant to subsection A of this section, three cents (\$0.03) shall be deposited in the Telecommunications for the Hearing Impaired Revolving Fund and two cents (\$0.02) shall be deposited in the Oklahoma Poison Control Revolving Fund established pursuant to Section 5 of this act.

D. There is hereby created in the State Treasury the Telecommunications for the Hearing Impaired Revolving Fund. The fund shall consist of monies ~~imposed in~~ deposited to the fund pursuant to subsection A C of this section. All monies accruing to said fund are hereby appropriated and may be budgeted and expended by the Department of Human Services. The fund shall be a continuing fund not subject to fiscal year limitations and expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims submitted to the Director of State Finance for the purpose of implementation of this act.

SECTION 7. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

44-2-L9724

KSM