ENGROSSED SENATE
BILL NO. 788

By: Hendrick of the Senate

and

Boyd (Laura) of the House

An Act relating to professions and occupations; creating the Licensed Perfusionists Act; providing short title; defining terms; creating State Board of Examiners of Perfusionists; providing for appointments, qualifications, terms of office, vacancies, grounds for removal and related validity of action; providing for officers, meetings, quorum, and compliance with certain statutes; authorizing promulgation of rules and stating certain duties; authorizing employment of personnel and acquisition of facilities, equipment and supplies; requiring Board designate Executive Secretary and stating duties; providing for certain reimbursement and protections from personal liability; creating revolving fund and providing for expenditures for certain purposes; prohibiting practice of perfusion after certain date unless licensed under act; providing for application forms and related qualifications, approval of education programs, and procedures; providing for licensure by examination, endorsement without examination, and provisional license; stating requirements; providing for license fees; grandfathering in certain persons; stating privileges and duties of

licensee; requiring surrender of license on demand of Board; providing for annual renewal and related requirements, procedures, and fees; making provisions of act inapplicable to certain persons; authorizing Board to take certain disciplinary actions under certain circumstances; stating procedures for filing complaints and for related investigation, notice and hearing; providing for issuance of subpoenas, appeal, payment of costs, and release of names of persons disciplined; making certain acts a misdemeanor and stating penalty; providing for codification; providing an effective date; 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 2051 of Title 59, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Licensed Perfusionists Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2052 of Title 59, unless there is created a duplication in numbering, reads as follows:

As used in the Licensed Perfusionists Act:

1. "Board" means the State Board of Examiners of Perfusionists;

2. "Extracorporeal circulation" means the diversion of a patient's blood through a heart-lung machine or a similar device that assumes the functions of the patient's heart, lungs or both;

3. "Licensed perfusionist" means a person licensed by this state pursuant to the Licensed Perfusionists Act;

4. "Perfusion" means the functions necessary for the support, treatment, measurement, or supplementation of the cardiovascular, circulatory and respiratory systems to ensure the safe management of physiologic functions by monitoring the parameters of the systems under an order and under the supervision of a licensed physician, including:

a. the use of extracorporeal circulation, cardiopulmonary support techniques, and other therapeutic and diagnostic technologies,

b. ventricular assistance, administration of cardioplegia, and isolated limb perfusion,

c. the use of techniques involving blood management, advanced life support, and other related functions, and

d. in the performance of the acts described in this paragraph:

(1) the administration of:

(a) pharmacological and therapeutic agents, or

(b) blood products or anesthetic agents through the extracorporeal circuit or through an intravenous line as ordered by a physician,

(2) the performance and use of:

(a) anticoagulation analysis,

(b) physiologic analysis,

(c) blood gas and chemistry analysis,

(d) hypothermia,

(e) hyperthermia,

(f) hemoconcentration, and

(g) hemodilution,

(3) the observation of signs and symptoms related to perfusion services, and the determination of

whether the signs and symptoms exhibit abnormal characteristics, and

(4) the implementation of appropriate reporting and perfusion protocols, and changes in, or the initiation of, emergency procedures;

5. "Perfusion protocol" means perfusion-related policies and protocols developed or approved by a licensed health facility or a physician through collaboration with administrators, licensed perfusionists, and other health professionals; and

6. "Provisional licensed perfusionist" means a person provisionally licensed by this state pursuant to the Licensed Perfusionists Act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2053 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. 1. There is hereby created the State Board of Examiners of Perfusionists. The Board shall administer the provisions of the Licensed Perfusionists Act. The Board shall consist of nine (9) members, appointed by the Governor as follows:

a. one member shall be a physician appointed from a list of qualified individuals submitted by the Oklahoma State Medical Association,

b. one member shall be a physician appointed from a list of qualified individuals submitted by the Oklahoma State Medical Association, who is also board certified in cardiovascular surgery,

c. two members shall be members of the general public, and

d. five members shall be licensed perfusionists appointed from a list of licensed perfusionists submitted by the Oklahoma Association of Certified Perfusionists (OACP).

2. The licensed perfusionist members shall have been engaged in rendering perfusion services to the public, teaching perfusion care, or research in perfusion care, for at least five (5) years immediately preceding their appointments. These members shall at all times be holders of valid licenses for the practice of perfusion in this state, except for the members first appointed to the Board. These initial members shall, at the time of appointment, be credentialed as a Certified Clinical Perfusionist (CCP) conferred by the American Board of Cardiovascular Perfusion (ABCP) or its successor organization, and all shall fulfill the requirements for licensure pursuant to the Licensed Perfusionists Act. All members of the Board shall be residents of this state.

B. Except as otherwise provided in this subsection, the members of the board shall be appointed for terms of four (4) years. The terms of office of the initial members of the Board shall begin September 1, 1996, and shall continue for the following periods: one physician, one member of the general public, and two licensed perfusionists for a period of three (3) years; and one physician, one member of the general public, and three licensed perfusionists for a period of four (4) years. Upon the expiration of a member's term of office, the Governor shall appoint a successor pursuant to the provisions of subsection C of this section. Vacancies on the Board shall be filled in like manner for the balance of an expired term. No member shall serve more than three (3) consecutive terms. Each member shall serve until a successor is appointed and qualified.

C. Upon expiration or vacancy of the term of a member, the respective nominating authority may, as appropriate, submit to the Governor a list of three persons qualified to serve on the Board to fill the expired term of their respective member. Appointments may be made from these lists by the Governor and additional lists may be

provided by the respective organizations if requested by the Governor.

D. It shall be a ground for removal from the Board if a member:

1. Does not have at the time of appointment the qualifications required for appointment to the Board;

2. Does not maintain during service on the Board the qualifications required for appointment to the Board;

3. Violates a prohibition established by the Licensed Perfusionists Act;

4. Cannot discharge the member's term for a substantial part of the term for which the member is appointed because of illness or disability; or

5. Is absent from more than half of the regularly scheduled board meetings that the member is eligible to attend during a calender year unless the absence is excused by a majority vote of the Board.

E. The validity of an action of the Board is not affected by the fact that it is taken when a ground for the removal of a member of the Board exists.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2054 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Within thirty (30) days after the members of the State Board of Examiners of Perfusionists are appointed, the Board shall meet to elect a chair and vice-chair who shall hold office according to the rules adopted by the Board.

B. The Board shall hold at least two regular meetings each year as provided by the rules and procedures adopted by the Board.

C. A majority of the members of the Board, including the chair and vice-chair shall constitute a quorum at any meeting, and a majority of the required quorum shall be sufficient for the Board to take action by vote.

D. The Board shall comply with the provisions of the Oklahoma Open Meeting Act, the Oklahoma Open Records Act, and the Administrative Procedures Act.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2055 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. The State Board of Examiners of Perfusionists may promulgate rules not inconsistent with the provisions of the Licensed Perfusionists Act as are necessary for the governing of the proceedings of the Board, the performance of the duties of the Board, the regulation of the practice of perfusion in this state, and the enforcement of the Licensed Perfusionists Act.

B. The Board shall:

1. Adopt and publish standards of professional conduct for perfusionists and adopt an official seal;

2. Establish the qualifications and fitness of applicants for licenses, renewal of licenses, and reciprocal licenses;

3. Examine, license, and renew the licenses of duly qualified applicants and establish the requirements and procedures therefor;

4. Maintain an up-to-date list of every person licensed to practice perfusion pursuant to the Licensed Perfusionists Act. The list shall show the licensee's last-known place of employment, last-known place of residence and the date and number of the license;

5. Cause the prosecution of all persons violating the Licensed Perfusionists Act and incur necessary expenses therefor;

6. Keep a record of all proceedings of the Board and make the record available to the public for inspection during reasonable business hours;

7. Conduct hearings upon charges calling for discipline of a licensee, or denial, revocation, or suspension of a license;

8. Share information on a case-by-case basis of any person whose license has been suspended, revoked, or denied. This

information shall include the name, social security number, type and cause of action, date and penalty incurred, and the length of the penalty. This information shall be available for public inspection during reasonable business hours and shall be supplied to similar governing boards in other states upon request;

9. Establish reasonable and necessary fees for the administration and implementation of the Licensed Perfusionists Act;

10. Provide to its members and employees, as often as necessary, information regarding their qualifications for office or employment under the Licensed Perfusionists Act and their responsibilities under applicable laws relating to standards of conduct for state officers or employees;

11. Establish continuing professional education programs for licensed perfusionists and provisional licensed perfusionists under the Licensed Perfusionists Act, the standards of which shall be at least as stringent as those of the American Board of Cardiovascular Perfusion or its successor agency, and shall:

a. establish a minimum number of hours of continuing education required to renew a license under the Licensed Perfusionists Act,

b. develop a process to evaluate and approve continuing education courses,

c. identify the key factors for the competent performance by a licensee of the licensee's professional duties, and

d. adopt a procedure to assess a licensee's participation in continuing education programs;

12. By agreement, secure and provide for compensation for services that the Board considers necessary to the administration and implementation of the Licensed Perfusionists Act and may employ and compensate within available funds professional consultants,

technical assistants, and employees on a full-time or part-time basis; and

13. Enter into agreements or contracts, consistent with state law, with outside organizations for the purpose of developing, administering, grading, or reporting the results of licensing examinations. Such organizations must be capable of providing an examination which:

a. meets the standards of the American Board of Cardiovascular Perfusion or its successor agency,

b. is able to be validated by an independent testing professional, and

c. is nationally recognized as testing cardiovascular perfusion competencies.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2056 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. The State Board of Examiners of Perfusionists may employ such personnel and acquire such facilities, equipment, and supplies as are necessary to assist the Board in the administration and implementation of the provisions of the Licensed Perfusionists Act.

B. The Board shall designate a member of the Board to serve as the Executive Secretary of the Board. The Executive Secretary shall be the administrator of the licensing activities of the Board.

C. In addition to other duties prescribed by the Licensed Perfusionists Act and by the Board, the Executive Secretary shall:

1. Keep full and accurate minutes of the transactions and proceedings of the Board;

2. Be the custodian of the files and records of the Board;

3. Prepare and recommend to the Board plans and procedures necessary to implement the purposes and objectives of the Licensed Perfusionists Act, including rules and proposals on administrative procedures consistent with the Licensed Perfusionists Act;

4. Exercise general supervision over persons employed by the Board in the administration of the Licensed Perfusionists Act;

5. Be responsible for the investigation of complaints and for the presentation of formal complaints;

6. Attend all meetings of the Board as a nonvoting participant; and

7. Handle the correspondence of the Board and obtain, assemble or prepare the reports and information that the Board may direct or authorize.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2057 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Members of the State Board of Examiners of Perfusionists shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred while engaged in the discharge of official duties pursuant to the Licensed Perfusionists Act in accordance with the State Travel Reimbursement Act.

B. Members of the Board shall enjoy the same rights of protection from personal liability as those enjoyed by other employees of the state for actions taken while acting under the provisions of the Licensed Perfusionists Act and in the course of their duties.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2058 of Title 59, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the State Board of Examiners of Perfusionists to be designated the "Perfusionists Licensing Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of fees received by the Board and any other monies collected pursuant to the Licensed Perfusionists Act. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and

expended by the Board for any purpose which is reasonably necessary to carry out the provisions of the Licensed Perfusionists 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 State Finance for approval and payment.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2059 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Except as otherwise provided in this act, on and after January 1, 1997, no person shall practice perfusion in this state unless licensed under the provisions of the Licensed Perfusionists Act.

B. An applicant for a perfusionist license must submit a sworn application accompanied by an application fee in an amount set by rule of the Board.

C. The State Board of Examiners of Perfusionists shall prescribe the form of the application and by rule may establish dates by which applications and fees must be received. These rules must not be inconsistent with present rules of the State Board of Medical Licensure and Supervision related to application dates of other licenses.

D. To qualify for the licensing examination, the applicant must have successfully completed a perfusion education program approved by the Board.

E. In approving perfusion education programs necessary for qualification for licensing examination, the Board shall approve only a program that has educational standards that are at least as stringent as those established by the Accreditation Committee for Perfusion Education and approved by the Committee on Allied Health Education and Accreditation of the American Medical Association or their successors.

F. Not later than the forty-fifth day after the date of receipt of a properly submitted and timely application and not later than the thirtieth day before the next examination date, the Board shall notify an applicant in writing that the applicant's application and any other relevant evidence pertaining to applicant qualifications established by the Board by rule have been received and investigated. The notice shall state whether the application and other evidence submitted have qualified the applicant for examination. If the applicant has not qualified for examination, the notice shall state the reasons for lack of qualification.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2060 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. The applicant, except where otherwise provided in the Licensed Perfusionists Act, shall be required to pass an examination, whereupon the State Board of Examiners of Perfusionists may issue to the applicant a license to practice perfusion. Examinations shall be prepared or approved by the Board and administered to qualified applicants at least once each calendar year.

B. An examination prescribed by the Board may be or may include the written and oral examinations given by the American Board of Cardiovascular Perfusion or by a national or state testing service in lieu of an examination prepared by the Board.

C. Not later than thirty (30) days after the date on which a licensing examination is administered under the provisions of the Licensed Perfusionists Act, the Board shall notify each examinee of the results of the examination. If an examination is graded or reviewed by a national or state testing service, the Board shall notify examinees of the results of the examination within two (2) weeks after the date the Board receives the results from the testing service. If the notice of examination results will be delayed for

more than ninety (90) days after the examination date, the Board shall notify the examinee of the reason for the delay before the ninetieth day.

D. If requested in writing by a person who fails the licensing examination, the Board shall furnish the person with an analysis of the person's performance on the examination.

E. The Board by rule may establish a limit on the number of times an applicant who fails an examination may retake the examination and the requirements for retaking the examination.

SECTION 11. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2061 of Title 59, unless there is created a duplication in numbering, reads as follows:

Upon the receipt of an application and application fee, the State Board of Examiners of Perfusionists shall waive the examination requirement and issue a license to practice perfusion by endorsement to:

1. An applicant who is currently licensed or certified by another state, territory, or possession of the United States if the requirements of that state, territory, or possession for the license or certificate are deemed by the Board to be equivalent to those required in this state by the Licensed Perfusionists Act;

2. An applicant who holds a certificate as a Certified Clinical Perfusionist (CCP) by the American Board of Cardiovascular Perfusion prior to January 1, 1997, provided such certificate has not been suspended or revoked; and

3. An applicant applying under the provisions of this section who certifies under oath that the applicant's credentials have not been suspended or revoked.

SECTION 12. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2062 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Upon the receipt of an application and application fee, the State Board of Examiners of Perfusionists may issue a provisional license to practice perfusion for a period of one (1) year. A provisional license may be issued to a person licensed in another state, territory, or possession of the United States who does not qualify for a license by endorsement but has applied to take the license examination and otherwise meets the qualifications of the Board. Provided, the applicant must show written evidence, verified by oath, that the applicant is currently practicing or has within the last six (6) months practiced perfusion in another state, territory, or possession of the United States.

B. A provisional license may also be issued to a graduate of a perfusion education program approved by the Accreditation Committee for Perfusion Education and approved by the Committee on Allied Health Education and Accreditation of the American Medical Association or their successors, who has applied to take the license examination and otherwise meets the qualifications of the Board.

C. A student currently enrolled in a perfusion education program approved by the Accreditation Committee for Perfusion Education and approved by the Committee on Allied Health Education and Accreditation of the American Medical Association or their successors may receive a provisional license as set out by the rules of the Board.

D. A person to whom a provisional license is issued pursuant to this section shall be under the supervision and direction of a licensed perfusionist at all times during which the provisional licensed perfusionist performs perfusion. Rules adopted by the Board governing such supervision and direction may not require the immediate physical presence of the supervising licensed perfusionist.

E. Provisional licenses may be renewed at the discretion of the Board for additional one-year periods.

SECTION 13. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2063 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. The Board may issue a license to practice perfusion upon payment of a fee of One Hundred Fifty Dollars ($150.00) to persons who have qualified pursuant to Section 10 or Section 11 of this act.

B. Other applicants who have not qualified for a license to practice perfusion pursuant to Section 10 or Section 11 of this act and who have been practicing perfusion in a full-time capacity for a period of more than twenty-four (24) months prior to January 1, 1997, may, at the discretion of the Board, be issued a license to practice perfusion upon payment of a fee of One Hundred Fifty Dollars ($150.00). Provided, such applicant must demonstrate through written evidence verified under oath and certified to by the employing health care facility that the applicant has in fact been employed in such capacity for more than twenty-four (24) months preceding January 1, 1997.

C. All other applicants who have not qualified for a license to practice perfusion pursuant to Section 10 or 11 of this act but who qualify for the provisional license to practice perfusion pursuant to Section 12 of this act may be issued a provisional license to practice perfusion upon the payment of a fee of One Hundred Fifty Dollars ($150.00).

SECTION 14. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2064 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. A person holding a license to practice perfusion in this state may use the title "licensed perfusionist" and the abbreviation "L.P."

B. A licensee must:

1. Display the license certificate in an appropriate and public manner; or

2. Maintain on file at all times during which the licensee provides services in a health care facility a true and correct copy of the license certificate in the appropriate records of the facility; and

3. Keep the State Board of Examiners of Perfusionists informed of any change of address.

C. A license certificate issued by the Board is the property of the Board and shall be surrendered on demand.

SECTION 15. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2065 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Except as otherwise provided in the Licensed Perfusionists Act, a license shall be renewed annually. The State Board of Examiners of Perfusionists shall mail notices at least thirty (30) calendar days prior to the expiration for renewal of licenses to every person to whom a license was issued or renewed during the preceding renewal period. A person may renew an unexpired license by submitting proof satisfactory to the Board of compliance with the continuing professional education requirements prescribed by the Board and paying a renewal fee of Seventy-five Dollars ($75.00) to the Board before the expiration date of the license.

B. If a person's license has been expired for not more than ninety (90) days, the person may renew the license by submitting proof satisfactory to the Board of compliance with the continuing professional education requirements prescribed by the Board and paying to the Board a renewal fee of One Hundred Fifty Dollars ($150.00) and a reinstatement fee of One Hundred Dollars ($100.00).

C. If a person's license has been expired for more than ninety (90) days but less than two (2) years, the person may renew the license by submitting proof satisfactory to the Board of compliance with the continuing professional education requirements prescribed

by the Board and paying to the Board all unpaid renewal fees and a reinstatement fee of Two Hundred Dollars ($200.00).

D. If a person's license has been expired two (2) years or more, the person may not renew the license. The person may obtain a new license by submitting to reexamination and complying with the current requirements and procedures for obtaining a license.

E. The Board is authorized to establish by rule fees for replacement and duplicate licenses.

SECTION 16. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2066 of Title 59, unless there is created a duplication in numbering, reads as follows:

The provisions of the Licensed Perfusionists Act shall not apply to:

1. A person licensed by another health professional licensing board if:

a. the person does not represent to the public, directly or indirectly, that the person is licensed under the provisions of the Licensed Perfusionists Act, and does not use any name, title, or designation indicating that the person is licensed under the Licensed Perfusionists Act, and

b. the person confines the person's acts or practice to the scope of practice authorized by the other health professional licensing laws;

2. A student enrolled in an accredited perfusion education program if perfusion services performed by the student:

a. are an integral part of the student's course of study, and

b. are performed under the direct supervision of a licensed perfusionist assigned to supervise the student and who is on duty and immediately available in the assigned patient care area;

3. A person who has successfully completed an approved perfusion education program but who has not been issued a license as a provisional licensed perfusionist in accordance with the provisions of Section 12 of this act and:

a. is at all times in compliance with the provisions of subsection D of Section 12 of this act, and

b. receives a license as a provisional licensed perfusionist within one hundred eighty (180) days of the date upon which the person successfully completed an approved perfusion education program;

4. The practice of any legally qualified perfusionist employed by the United States government which is in the discharge of official duties; or

5. A person performing autotransfusion or blood conservation techniques under the supervision of a licensed physician.

SECTION 17. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2067 of Title 59, unless there is created a duplication in numbering, reads as follows:

The State Board of Examiners of Perfusionists may revoke, suspend, or refuse to renew any license, place on probation, or otherwise reprimand a licensee or deny a license to an applicant if it finds that the person:

1. Is guilty of fraud or deceit in procuring or attempting to procure a license or renewal of a license to practice perfusion;

2. Is unfit or incompetent by reason of negligence, habits, or other causes of incompetence;

3. Is habitually intemperate in the use of alcoholic beverages;

4. Is addicted to, or has improperly obtained, possessed, used, or distributed habit-forming drugs or narcotics;

5. Is guilty of dishonest or unethical conduct;

6. Has practiced perfusion after the license has expired or has been suspended;

7. Has practiced perfusion under cover of any license illegally or fraudulently obtained or issued;

8. Has violated or aided or abetted others in violation of any provision of the Licensed Perfusionists Act;

9. Has been guilty of unprofessional conduct as defined by the rules established by the Board, or of violating the code of ethics adopted and published by the Board; or

10. Is guilty of the unauthorized practice of medicine.

SECTION 18. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2068 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Upon the filing of a written complaint with the State Board of Examiners of Perfusionists charging a person with any of the acts described in Section 17 of this act, the authorized employee of the Board may make an investigation. If the Board finds reasonable grounds for the complaint, a time and place for a hearing shall be set, notice of which shall be served on the licensee, or applicant at least fifteen (15) calendar days prior thereto. The notice shall be by personal service or by certified or registered mail sent to the last-known address of the person.

B. The Board or its designee may issue subpoenas for the attendance of witnesses and the production of necessary evidence on any investigation or hearing before it. Upon request of the respondent or the respondent's counsel, the Board may issue subpoenas on behalf of the respondent.

C. Unless otherwise provided in the Licensed Perfusionists Act, hearing procedures shall be conducted in accordance with, and a person who feels aggrieved by a decision of the Board may make an appeal pursuant to Article II of the Administrative Procedures Act.

D. If found guilty as charged, the perfusionist shall pay for all costs incurred by the Board.

E. The Board shall make public on a case-by-case basis the names and addresses of persons whose licenses have been denied, surrendered, revoked, suspended, or who have been denied renewal of their licenses, and persons who have been practicing perfusion in violation of the Licensed Perfusionists Act.

SECTION 19. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2069 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. It is a misdemeanor for any person to:

1. Sell, fraudulently obtain or furnish any perfusion license, or record or aid or abet therein;

2. Practice perfusion under cover of any perfusion diploma, license, or record illegally or fraudulently obtained or issued;

3. Practice perfusion unless duly licensed to do so under the provisions of the Licensed Perfusionists Act;

4. Impersonate in any manner or pretend to be a perfusionist or use the title "licensed perfusionist", the letters "L.P." or other words, letters, signs, symbols, or devices to indicate the person using them is a licensed perfusionist unless duly authorized by license to perform under the provisions of the Licensed Perfusionists Act;

5. Practice perfusion during the time a license is suspended, revoked, or expired;

6. Fail to notify the Board of the suspension, probation, or revocation of any past or currently held licenses, certifications, or registrations required to practice perfusion in this or any other jurisdiction;

7. Knowingly employ unlicensed persons in the practice of perfusion in the capacity of a perfusionist;

8. Make false representations or impersonate or act as a proxy for another person or allow or aid any person or impersonate the

person in connection with any examination or application for licensing or request to be examined or licensed; or

9. Otherwise violate any provision of the Licensed Perfusionists Act.

B. Such misdemeanor shall be punishable by a fine of not more than One Thousand Dollars ($1,000.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment for each offense.

SECTION 20. This act shall become effective July 1, 1996.

SECTION 21. 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.

Passed the Senate the 20th day of February, 1996.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1996.

Speaker of the House of Representatives