

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

HOUSE JOINT
RESOLUTION NO. 1107

By: Webb

AS INTRODUCED

A Joint Resolution relating to certain rules of the State Board of Medical Licensure and Supervision; disapproving certain rules; expressing legislative intent; directing adoption of certain rule; directing distribution; and declaring an emergency.

WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma Statutes, the Legislature reserves the right to determine that a rule is not consistent with legislative intent and disapprove such rule or any portion thereof; and

WHEREAS, the State Board of Medical Licensure and Supervision adopted emergency rules OAC 435:1-1-7(a)(1)(M)(i), OAC 435:1-1-7(a)(1)(N)(i), and OAC 435:1-1-7(a)(1)(O)(i) on January 20, 1996, and were approved by the Governor on February 26, 1996, regarding the application processing fee for a respiratory care full license, provisional license, and special provisional license; and

WHEREAS, the State Board of Medical Licensure and Supervision adopted permanent rules OAC 435:1-1-7(a)(1)(M)(i), OAC 435:1-1-7(a)(1)(N)(i), and OAC 435:1-1-7(a)(1)(O)(i) on March 23, 1996, regarding the application processing fee for a respiratory care full license, provisional license, and special provisional license; and

WHEREAS, pursuant to Section 2031 of Title 59 of the Oklahoma Statutes, the State Board of Medical Licensure and Supervision is authorized to establish license examination fees by rule; and

WHEREAS, permanent and emergency rules OAC 435:1-1-7(a)(1)(M)(i), OAC 435:1-1-7(a)(1)(N)(i), and OAC 435:1-1-

7(a) (1) (O) (i) charge a seventy-five dollar application processing fee for a respiratory care full license, provisional license, and special provisional license; and

WHEREAS, the Legislature believes that the seventy-five dollar application processing fee for a respiratory care full license, provisional license, and special provisional license is unreasonable and is inconsistent with legislative intent.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 45TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby disapproves emergency rules OAC 435:1-1-7(a) (1) (M) (i), OAC 435:1-1-7(a) (1) (N) (i), and OAC 435:1-1-7(a) (1) (O) (i) adopted by the State Board of Medical Licensure and Supervision on January 20, 1996, and approved by the Governor on February 26, 1996, regarding the application processing fee for a respiratory care full license, provisional license, and special provisional license.

SECTION 2. The Legislature hereby disapproves permanent rules OAC 435:1-1-7(a) (1) (M) (i), OAC 435:1-1-7(a) (1) (N) (i), and OAC 435:1-1-7(a) (1) (O) (i) adopted by the State Board of Medical Licensure and Supervision on March 23, 1996, regarding the application processing fee for a respiratory care full license, provisional license, and special provisional license.

SECTION 3. The Legislature hereby directs and authorizes, in accordance with subsection H of Section 308 of Title 75 of the Oklahoma Statutes, the State Board of Medical Licensure and Supervision to adopt and promulgate a rule which charges no more than Fifty Dollars (\$50.00) for an application processing fee for a respiratory care full license, provisional license, and special provisional license, in order to be consistent with legislative intent.

SECTION 4. The Secretary of State is hereby directed to distribute copies of this resolution to the Governor, the Executive

Director of the State Board of Medical Licensure and Supervision and the Editor of The Oklahoma Register.

SECTION 5. 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.

45-2-10125 TK