

SHORT TITLE: Public health and safety; modifying and adding to definitions related to abortion clinics; rules; effective date.

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

SENATE BILL NO. 862

By: Campbell

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 1991, Sections 1-701, as amended by Section 5, Chapter 231, O.S.L. 1995 and 1-707 (63 O.S. Supp. 1995, Section 1-701), which relate to hospitals; modifying and adding definitions; providing for rules; updating language; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-701, as amended by Section 5, Chapter 231, O.S.L. 1995 (63 O.S. Supp. 1995, Section 1-701), is amended to read as follows:

Section 1-701. For the purposes of this article:

1. "Hospital" means any institution, place, building or agency, public or private, whether organized for profit or not, devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment or care of patients admitted for overnight stay or longer in order to obtain medical care, surgical care, obstetrical care, or nursing care for illness, disease, injury, infirmity, or deformity. Except as otherwise provided by paragraph 5 of this subsection, places where pregnant females are admitted and receive care incident to pregnancy, abortion or delivery shall be considered to be a "hospital" within the meaning of this article,

regardless of the number of patients received or the duration of their stay. The term "hospital" includes general and specialized hospitals, tuberculosis sanatoria, maternity homes, lying-in homes, and homes for unwed mothers in which care is given during delivery-;i

2. "General hospital" means a hospital maintained for the purpose of providing hospital care in a broad category of illness and injury-;i

3. "Specialized hospital" means a hospital maintained for the purpose of providing hospital care in a certain category, or categories, of illness and injury-;i

4. "Related institution" means an institution, or an industrial or other type of infirmary, providing limited medical or surgical care to ill or injured persons on a temporary basis, ~~or~~ a birthing center- or an abortion clinic;

5. "Birthing center" means any facility, place or institution, which is maintained or established primarily for the purpose of providing services of a certified midwife or licensed medical doctor to assist or attend a woman in delivery and birth, and where a woman is scheduled in advance to give birth following a normal, uncomplicated, low-risk pregnancy. Provided, however, licensure for a birthing center shall not be compulsory-;i

6. "Abortion clinic" means any facility, place or institution which is maintained or established primarily and principally for the purpose of providing abortion services to women; and

7. "Day treatment program" means nonresidential, partial hospitalization programs, day treatment programs, and day hospital programs as defined by subsection A of Section ~~±~~ 175.20 of ~~this act~~ Title 10 of the Oklahoma Statutes.

SECTION 2. AMENDATORY 63 O.S. 1991, Section 1-707, is amended to read as follows:

Section 1-707. A. The State Board of Health, upon the recommendation of the State Commissioner of Health and with the

advice of the State Hospital Advisory Council ~~hereinafter provided for~~, shall ~~adopt~~ promulgate such rules, ~~regulations~~ and standards as it deems to be in the public interest for hospitals and related institutions, on the following:

1. Construction plans and location, including submission of plans; physical plant and facilities; ~~fire~~

2. Fire protection and safety; ~~food~~

3. Food service; ~~reports~~

4. Reports and records; ~~staffing~~

5. Staffing and personal service; ~~surgical~~

6. Surgical facilities and equipment; ~~maternity~~

7. Maternity facilities and equipment; ~~control~~

8. Control of communicable ~~disease~~ diseases; ~~sanitation~~

9. Sanitation; ~~laboratory~~

10. Laboratory services; ~~nursing~~

11. Nursing facilities and equipment; and ~~other~~

12. Other items as may be deemed necessary to carry out the purposes of this article.

B. 1. The State Board of Health, upon the recommendation of the State Commissioner of Health and with the advice of the State Hospital Advisory Council and with the advice of the State Board of Pharmacy, shall ~~adopt~~ promulgate such rules, ~~regulations~~ and standards as it deems to be in the public interest with respect to the storage and dispensing of drugs and medications for hospital patients; ~~the~~.

2. The State Board of Pharmacy shall be ~~empowered~~ authorized to inspect drug facilities in licensed hospitals and shall report violations of applicable statutes ~~and regulations~~ to the State Board of Health for action and reply.

SECTION 3. This act shall become effective November 1, 1996.

