

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)  
CONFERENCE COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL NO. 448

By: Robinson of the Senate

and

Stanley of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to dentistry; amending 59 O.S. 1991, Sections 328.3, 328.15, as amended by Section 4, Chapter 2, O.S.L. 1996, 328.22, 328.23, as amended by Section 6, Chapter 2, O.S.L. 1996, 328.32, as amended by Section 10, Chapter 2, O.S.L. 1996 (59 O.S. Supp. 1997, Sections 328.15, 328.23, and 328.32), which relate to the State Dental Act; amending 74 O.S. 1991, Section 1303, as last amended by Section 1, Chapter 239, O.S.L. 1995 (74 O.S. Supp. 1997, Section 1303), which relates to the State and Education Employees Group Insurance Act; adding definition; modifying definitions; modifying powers and duties of the Board of Dentistry; authorizing certain interstate affiliation; requiring certain information in certain list; deleting requirement for license to practice certain specialty; adding certain requirements for specialty practice license; providing reciprocity for certain out-of-state dentists; adding and modifying grounds for which certain penalties may be imposed; modifying definition; clarifying references; regularizing formatting, punctuation, and usage; repealing 59 O.S. 1991, Sections 328.4, 328.5, and 328.30, as amended by Section 20, Chapter 2, O.S.L. 1996 (59 O.S. Supp. 1997, Section 328.30), which relate to the State Dentistry Act; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 1991, Section 328.3, is amended to read as follows:

Section 328.3 ~~(a) The term "organization" means the Registered Dentists of Oklahoma.~~

~~(b) The term~~ As used in the State Dental Act, the following words, phrases, or terms, unless the context otherwise indicates, shall have the following meanings:

~~1. "Board" and "Board of Governors" means are synonymous and mean the Board of Governors of the Registered Dentists of Oklahoma. Dentistry;~~

~~(c) The term "dentistry" 2. "Dentistry" means the practice of dentistry in all of its branches.;~~

~~(d) The term "dental 3. "Dental laboratory technology" means the construction, upon the written work authorization laboratory prescription of a ~~licensed~~ dentist, of any dental appliance or thing to be worn in the human mouth, by a dental laboratory technician who uses inert materials and mechanical devices for the fabrication or construction of any such dental appliance or thing.;~~

~~(e) The term "written work 4. "Laboratory prescription" and "work authorization" means are synonymous and mean a written description of the procedures to be followed in the fabrication or construction of any dental restoration, appliance or thing to be worn in the human mouth by a dental laboratory technician who uses inert materials and mechanical devices for the fabrication or construction of any ~~such~~ dental appliance or thing.;~~

~~(f) The term "dentist" 5. "Dentist" means a ~~professionally trained individual who has fulfilled the educational requirements and is~~ a graduate of an accredited dental ~~school and college~~ who has been ~~licensed~~ issued a license by the Board ~~of Governors~~ to ~~administer to the general public through the practice of~~ dentistry as ~~herein~~ defined. in Section 328.19 of this title;~~

~~(g) The term "dental 6. "Dental office" means an establishment owned and operated by a ~~licensed~~ dentist for the practice of dentistry, which may be composed of reception rooms, business offices, private offices, laboratories, and dental operating rooms where dental operations are performed.;~~

~~(h) The term "dental 7. "Dental hygienist" means an individual who has fulfilled the educational requirements and is a graduate of an approved school of dental hygiene and who has passed an examination and has been issued a certificate of ability by the Board ~~of Governors~~ and who is authorized to practice dental hygiene as hereinafter defined.;~~

~~(i) The term "dental 8. "Dental assistant and/or dental nurse" means an individual working for the licensed a dentist, under his the dentist's supervision, and performing duties in the dental office, including the limited treatment of patients in accordance with the provisions of this act. The the State Dental Act; the dental assistant and/or dental nurse may assist the dentist with the patient; provided, this shall be done only under the direct supervision and control of the dentist and only in accordance with the educational requirements, and rules and regulations promulgated by the Board of Governors.;~~

~~(j) The term "dental 9. "Dental laboratory" means an establishment that has been duly granted a permit, and is on the official records of the Board of Governors a location, whether in a dental office or not, where a dental laboratory technician is performing performs dental laboratory technology. Such dental laboratory may be located either within the office of a dentist or dentists for his or their use, or in a separate location for the commercial use of licensed dentists, whereby using inert materials and mechanical devices the dental laboratory technician fabricates dental restorations, appliances or things to be worn in the human mouth upon the written work authorization of a licensed dentist.;~~

~~(k) The term "dental 10. "Dental laboratory technician" means an individual whose name is duly filed on in the official records of the Board of Governors, which authorizes him the technician, upon the written work authorization laboratory prescription of a licensed dentist, to use inert materials and mechanical devices for the fabrication of any dental restorations, appliances, or things to be worn in the human mouth, which services must be rendered only to the licensed dentist and not to any actual user or prospective user;~~

11. "Dental specialty" means a specialized practice of a branch of dentistry, recognized and defined by the American Dental Association and the rules of the Board; and

12. "Out-of-state dentist" means a graduate of an accredited dental college who holds a license to practice dentistry in

another state but who is not licensed to practice dentistry in this state.

SECTION 2. AMENDATORY 59 O.S. 1991, Section 328.15, as amended by Section 4, Chapter 2, O.S.L. 1996 (59 O.S. Supp. 1997, Section 328.15), is amended to read as follows:

Section 328.15 A. Pursuant to and in compliance with Article I of the Administrative Procedures Act, the Board of Dentistry shall have the power to formulate, adopt, and promulgate rules as may be necessary to regulate the practice of dentistry in this state and to implement and enforce the provisions of the State Dental Act.

B. The Board is authorized and empowered to:

1. Examine and test the qualifications of applicants for a license, certificate, or permit to be issued by the Board;

2. Affiliate by contract or cooperative agreement with another state or combination of states for the purpose of conducting simultaneous regional examinations of applicants for a license to practice dentistry, dental hygiene, or a dental specialty;

3. Maintain a list of the name, current mailing address and principal office address of all persons who hold a license, certificate, or permit issued by the Board;

~~3.~~ 4. Account for all receipts and expenditures of the monies of the Board, including annually preparing and publishing a statement of receipts and expenditures of the Board for each fiscal year. The Board's annual statement of receipts and expenditures shall be audited by the State Auditor and Inspector or an independent accounting firm, and the audit report shall be certified to the Governor of this state to be true and correct, under oath, by the president and secretary-treasurer of the Board;

~~4.~~ 5. Within limits prescribed in the State Dental Act, set all fees, ~~charges~~ and administrative penalties to be imposed and collected by the Board;

~~5.~~ 6. Maintain an office staff and employ legal counsel and other advisors to the Board, including ~~but not limited to~~ advisory committees;

~~6.~~ 7. Investigate and issue investigative and other subpoenas, pursuant to Article II of the Administrative Procedures Act;

~~7.~~ 8. Initiate individual proceedings and issue orders imposing administrative penalties, pursuant to Article II of the Administrative Procedures Act, against any dentist, dental hygienist, dental assistant, dental laboratory technician, or holder of a permit to operate a dental laboratory who has violated the State Dental Act or the rules of the Board;

~~8.~~ 9. Conduct, in a uniform and reasonable manner, inspections of dental offices and dental laboratories and their business records;

~~9.~~ 10. Establish guidelines for courses of study necessary for expanded duties and, when appropriate, issue permits authorizing individuals to perform expanded duties;

~~10.~~ 11. Establish continuing education requirements for dentists, dental hygienists, and dental assistants who hold expanded duty permits issued by the Board;

~~11.~~ 12. Recognize the parameters of care established and approved by the American Dental Association;

~~12.~~ 13. Formulate, adopt, and promulgate rules, pursuant to Article I of the Administrative Procedures Act, as may be necessary to implement and enforce the provisions of the Oklahoma Dental Mediation Act;

~~13.~~ 14. Hire one or more investigators to conduct investigations of alleged violations of the State Dental Act or the rules of the Board;

~~14.~~ 15. Seek and receive advice and assistance of the Office of the Attorney General of this state;

~~15.~~ 16. Promote the dental health of the people of this state;

~~16.~~ 17. Inform, educate, and advise all persons who hold a license, certificate, or permit issued by the Board, or who are otherwise regulated by the Board, regarding the State Dental Act and the rules of the Board;

~~17.~~ 18. Affiliate with the American Association of Dental Examiners as an active member, pay regular dues, and send members of the Board as delegates to its meetings;

~~18.~~ 19. Enter into contracts;

~~19.~~ 20. Acquire, rent, hold, encumber, and dispose of personal property as is needed; and

~~20.~~ 21. Take all other actions necessary to implement and enforce the State Dental Act.

SECTION 3. AMENDATORY 59 O.S. 1991, Section 328.22, is amended to read as follows:

~~Section 328.22 No person qualified to practice dentistry, as defined herein, shall announce and/or hold himself out to the public as limiting his practice to, or as being especially qualified in, any branch of dentistry, without first having obtained a license therefor from the Board of Governors as hereinafter provided. The Board of Governors will, at its discretion, issue licenses in only those specialities as approved by the Council on Dental Education of the American Dental Association. The issuing of a specialist license by the Board of Governors is a special privilege granted to that member, which allows him to announce to the public that he is especially qualified in a particular branch of dentistry. Any member granted this special privilege must limit his practice to the specialty in which he is licensed, or said specialist's license may be revoked or suspended, as herein provided. The Board of Governors, upon satisfactory proof that a member is a graduate in one of the recognized specialties of dentistry, from a school or educational program approved by the Council on Dental Education of the American Dental Association, and, in addition thereto, such formal education and/or professional knowledge and experience that the Board of Governors, by rule, considers necessary to maintain the graduate standards according to present day specialists' training programs, may issue a license to any member, authorizing such member to hold himself out and announce to the public that he is especially qualified and limits his practice to, and gives special attention in, any one of the recognized branches of the dental~~

~~profession. Examinations shall be theoretical and practical. The theoretical examinations shall be in writing and include all the subjects represented in the different branches of approved graduate schools. Written examinations may be supplemented with an oral examination. Demonstration of the applicant's skill is also required. A special license shall be required for the practice of each recognized branch of dentistry in order for the member to hold himself out to the public as limiting his practice to, and being specially qualified in, any branch of dentistry. The fee for such examination and special license shall be fixed annually by the Board of Governors, but shall not exceed Three Hundred Dollars (\$300.00). Any applicant failing to pass such examination shall be entitled to one additional examination for an additional fee as required by the Board of Governors, but not to exceed Three Hundred Dollars (\$300.00).~~

A. 1. The Board of Dentistry may issue a dental specialty license authorizing a dentist or an out-of-state dentist to represent himself or herself to the public as a specialist, and to practice as a specialist, in a dental specialty.

2. No dentist or out-of-state dentist shall represent himself or herself to the public as a specialist, nor practice as a specialist, unless the individual:

- a. has successfully completed an advanced dental specialty educational program accredited by the Commission on Dental Accreditation of the American Dental Association, and
- b. has been issued a dental specialty license by the Board.

B. 1. Except as authorized in subsection C of this section, an applicant for a dental specialty license must satisfactorily pass an examination for dental specialty practice, as provided in the rules of the Board.

2. An applicant for a dental specialty license who fails the examination shall be entitled to retake the examination upon such terms and conditions as may be established by the rules of the Board.

C. 1. The Board may issue a dental specialty license by credentialing, without examination in the dental specialty, to an out-of-state dentist who:

- a. is in good standing with the dental licensing agency of the state or states in which the out-of-state dentist has been issued a license to practice dentistry,
- b. has successfully completed an advanced dental specialty educational program accredited by the Commission on Dental Accreditation of the American Dental Association, and
- c. has been issued a dental specialty license by the dental licensing agency of another state or has received board certification from a national dental specialty board recognized by the Commission on Dental Accreditation of the American Dental Association and the rules of the Board.

2. In conducting an investigation of an out-of-state dentist who has applied for a dental specialty license pursuant to this subsection, the Board may require of the applicant disclosure of the same background information as is required of an applicant for a license to practice dentistry in this state. If the Board determines that the out-of-state dentist is competent to practice a dental specialty, and after the out-of-state dentist passes an examination on the contents and interpretation of the State Dental Act and the rules of the Board, the out-of-state dentist may be issued a dental specialty license by the Board.

3. The Board may require:

- a. an applicant for a dental specialty license pursuant to this subsection to have completed the same continuing education requirements as required of dentists in this state, and
- b. that the state from which the applicant presents credentials afford substantially equivalent licensure by credentialing to dentists of this state.

D. Upon payment of a fee established by the rules of the Board, any applicant who meets the requirements of this section shall be entitled to be issued a dental specialty license by the Board.

E. Out-of-state dentists to whom dental specialty licenses have been issued by the Board, but who have not been licensed in this state to practice dentistry, shall limit their practice in this state to the practice of the specialty for which they hold a dental specialty license.

SECTION 4. AMENDATORY 59 O.S. 1991, Section 328.23, as amended by Section 6, Chapter 2, O.S.L. 1996 (59 O.S. Supp. 1997, Section 328.23), is amended to read as follows:

Section 328.23 A. 1. The Board of Dentistry may issue a license to practice dentistry, without examination, to ~~a person an~~ out-of-state dentist who has been engaged in the practice of dentistry in another state for at least five (5) years, upon ~~the~~ presentation to the Board of a certificate from the dental licensing agency of that state, certifying ~~to~~ the applicant's length of practice, ~~competency to practice dentistry and good moral character~~ and that the applicant is in good standing with the agency, and upon the payment of a fee ~~as~~ established by the rules of the Board; provided, however, the state from which the applicant presents a license to practice dentistry shall have required the applicant to meet professional education, competency, and moral character standards substantially equivalent to the standards required by the Board for issuance of a license by examination to practice dentistry in this state.

2. The Board shall not issue a license pursuant to this subsection to any person who would not otherwise be eligible to receive a license to practice dentistry.

~~B. 1. The Board may issue a dental specialty license by credentialing, without examination in the dental specialty, to a person who:~~

- ~~a. has successfully completed the educational requirements for a dental specialty practice recognized and defined by the Council on Dental~~

~~Education of the American Dental Association and the Board, and~~

- ~~b. has been issued a dental specialty license by the dental licensing agency of another state or the Board may accept the National Specialty Examination for dental specialty licensure.~~

~~2. In conducting an investigation of a person who has applied for a dental specialty license pursuant to this subsection, the Board may require of the applicant disclosure of the same background information as is required of an applicant for a license to practice dentistry in this state. If the Board determines that the applicant is competent to practice a dental specialty and has a good moral character, and after the applicant passes an examination on the contents and interpretation of the State Dental Act and the rules of the Board, the applicant may be issued a dental specialty license by the Board.~~

~~C. 3. The Board may require:~~

- ~~1. a. An an applicant for a license to practice dentistry pursuant to this subsection ~~A of this section, or an applicant for a dental specialty license pursuant to subsection B of this section,~~ to have completed the same continuing education requirements as required of dentists in this state; and~~
- ~~2. b. ~~That~~ that the state from which the applicant presents credentials afford substantially equivalent licensure by credentialing to dentists of this state.~~

~~D. B. Any dentist who is ~~desirous of changing residency to another state~~ in good standing with the Board shall, upon application to the Board and payment of a fee established by the rules of the Board, receive a certificate which shall attest that the dentist is in good standing with the Board.~~

SECTION 5. AMENDATORY 59 O.S. 1991, Section 328.32, as amended by Section 10, Chapter 2, O.S.L. 1996 (59 O.S. Supp. 1997, Section 328.32), is amended to read as follows:

Section 328.32 A. The following acts or occurrences by a dentist shall constitute grounds for which the penalties specified in Section ~~16~~ 328.44a of this ~~act~~ title may be imposed by order of the Board of Dentistry:

1. Pleading guilty or nolo contendere to, or being convicted of, a felony, a misdemeanor involving moral turpitude, or a violation of federal or state controlled dangerous substances laws;

2. Presenting to the Board a false diploma, license, or certificate, or one obtained by fraud or illegal means;

3. ~~By~~ Being, by reason of persistent inebriety or addiction to drugs, ~~being~~ incompetent to continue the practice of dentistry;

4. Publishing a false, fraudulent, or misleading advertisement or statement;

5. Authorizing or aiding an ~~unregistered or~~ unlicensed person to practice dentistry, to practice dental hygiene, or to perform a function for which a permit from the Board is required;

6. Authorizing or aiding a dental hygienist to perform any procedure prohibited by the State Dental Act or the rules of the Board;

7. Authorizing or aiding a dental assistant to perform any procedure prohibited by the State Dental Act or the rules of the Board;

8. Failing to pay fees as required by the State Dental Act or the rules of the Board;

9. Failing to complete continuing education requirements;

10. ~~Holding oneself out as especially qualified in or limiting his practice to a branch of dentistry~~ Representing himself or herself to the public as a specialist in a dental specialty without holding a dental specialty license therefor;

11. Representing himself or herself to the public as a specialist whose practice is limited to a dental specialty, when such representation is false, fraudulent, or misleading;

12. Endangering the health of patients by reason of having a highly communicable disease and continuing to practice dentistry without taking appropriate safeguards;

~~12.~~ 13. Being a menace to the public health by reasons of practicing dentistry in an unsafe or unsanitary manner or place;

~~13.~~ 14. Being shown to be mentally unsound;

~~14.~~ 15. Being shown to be grossly immoral and that such condition represents a threat to patient care or treatment;

~~15.~~ 16. Being incompetent to practice dentistry while delivering care to a patient;

~~16.~~ 17. ~~Gross~~ Committing gross negligence in the practice of dentistry;

~~17.~~ 18. Committing repeated acts of negligence in the practice of dentistry;

19. Offering to effect or effecting a division of fees, or agreeing to split or divide a fee for dental services with any person, in exchange for the person bringing or referring a patient;

~~18.~~ 20. Being involuntarily committed to an institution for treatment for substance abuse, until recovery or remission;

~~19.~~ 21. Using or attempting to use the services of a dental laboratory or dental laboratory technician without issuing a ~~written work authorization~~ laboratory prescription, except as provided in subsection C of Section 328.36 of this title;

~~20.~~ 22. Aiding, abetting, or encouraging a dental hygienist employed by ~~him or her~~ the dentist to make use of an oral prophylaxis list, or the calling by telephone or by use of letters transmitted through the mails to solicit patronage from patients formerly served in the office of any dentist formerly employing such hygienist;

~~21.~~ 23. Having more than the equivalent of two full-time dental hygienists for each dentist actively practicing in the same dental office who will supervise the dental hygienists;

~~22.~~ 24. Knowingly patronizing or using the services of a dental laboratory or dental laboratory technician who has not complied with the provisions of the State Dental Act and the rules of the Board;

~~23.~~ 25. Authorizing or aiding a dental hygienist, dental assistant, dental laboratory technician, or holder of a permit to

operate a dental laboratory, to violate any provision of the State Dental Act or the rules of the Board;

~~24.~~ 26. Willfully disclosing confidential information;

~~25.~~ 27. Writing a false, unnecessary, or excessive prescription for any drug or narcotic which is a controlled dangerous substance under either federal or state law;

~~26.~~ 28. Prescribing or administering any drug or treatment without having established a valid dentist-patient relationship;

~~27.~~ 29. Engaging in nonconsensual physical contact with a patient which is sexual in nature, or engaging in a verbal communication which is intended to be sexually demeaning to a patient;

~~28.~~ 30. Practicing dentistry without displaying, at the dentist's primary place of practice, the license issued to the dentist by the Board to practice dentistry and the current renewal certificate;

~~29.~~ 31. Being dishonest in a material way with a patient;

~~30.~~ 32. Failing to retain all patient records for at least three (3) years, except that the failure to retain records shall not be a violation of the State Dental Act if the dentist shows that the records were lost, destroyed, or removed by another, without the consent of the dentist;

~~31.~~ 33. Failing to retain the dentist's copy of any ~~written work authorization~~ laboratory prescription for at least three (3) years, except that the failure to retain records shall not be a violation of the State Dental Act if the dentist shows that the records were lost, destroyed, or removed by another, without the consent of the dentist;

~~32.~~ 34. Violating the state dental act of another state resulting in a plea of guilty or nolo contendere, conviction or suspension or revocation of the license of the dentist under the laws of that state;

~~33.~~ 35. Violating or attempting to violate the provisions of the State Dental Act or the rules of the Board, as a principal, accessory or accomplice; or

~~34.~~ 36. Failing to comply with the terms and conditions of ~~a~~  
an order imposing suspension of a license or placement on  
probation issued ~~against a registrant~~ pursuant to Section 328.44a  
of this title.

B. The provisions of the State Dental Act shall not be construed to prohibit any dentist from displaying or otherwise advertising that the dentist is also currently licensed, registered, certified, or otherwise credentialed pursuant to the laws of this state or a nationally recognized credentialing board, if authorized by the laws of the state or credentialing board to display or otherwise advertise as a licensed, registered, certified, or credentialed dentist.

SECTION 6. AMENDATORY 74 O.S. 1991, Section 1303, as last amended by Section 1, Chapter 239, O.S.L. 1995 (74 O.S. Supp. 1997, Section 1303), is amended to read as follows:

Section 1303. For the purposes of and as used in ~~this act~~ the State and Education Employees Group Insurance Act:

~~(a)~~ 1. "Board" means the State and Education Employees Group Insurance Board as created by ~~this act~~ the State and Education Employees Group Insurance Act;

~~(b)~~ 2. "Employee" means those state employees, education employees and other eligible employees participating in the State and Education Employees Group Insurance Act;

~~(c)~~ 3. "Education Employee" means those employees other than adjunct professors employed by a state institution of higher education, in the service of an education entity who are members or are or will be eligible to become members of the Teachers' Retirement System of Oklahoma and who receive compensation for such service after the education entity begins to participate in the State and Education Employees Group Insurance Act and visiting faculty who are not eligible for membership in the Teachers' Retirement System of Oklahoma;

~~(d)~~ 4. "Adjunct Professor" means a person employed by an institution of higher education who is attached in a subordinate or temporary capacity to the faculty or staff, and who is contracted to instruct in a given specific discipline;

~~(e)~~ 5. "Visiting Faculty" means a person employed by an institution of higher education who is not eligible for academic rank or tenure, other than an adjunct professor, and who is contracted to instruct in a given specific discipline generally not to exceed one (1) academic year;

~~(f)~~ 6. "Education Entity" means a school district, an area vocational-technical school district, or an institution comprising The Oklahoma State System of Higher Education;

~~(g)~~ 7. "State Employee" means and includes each officer or employee in the service of the State of Oklahoma who, after January 1, 1966, received ~~his~~ compensation for service rendered to the State of Oklahoma on a warrant issued pursuant to a payroll certified by a department or by an elected or duly appointed officer of the state or who receives payment for the performance of personal services on a warrant issued pursuant to a payroll certified by a department and drawn by the State Treasurer against appropriations made by the Legislature from any state fund or against trust funds held by the State Treasurer, who is employed in a position normally requiring actual performance of duty during not less than one thousand (1,000) hours per year, and whose employment is not seasonal or temporary, except that a person elected by popular vote will be considered an employee during ~~his~~ the person's tenure in office. ~~Provided;~~ provided, however, that employees who are otherwise eligible who are on approved leave without pay shall be eligible to continue coverage during such leave not to exceed twenty-four (24) months, as provided in the Merit Rules for Employment published by the Office of Personnel Management, from the date the employee goes on such leave provided the employee pays the full premiums due or persons who are drawing disability benefits under Section 1331 et seq. of this title or meet each and every requirement of the State Employees Disability Program shall be eligible to continue coverage provided the person pays the full premiums due;

~~(h)~~ 8. "Carrier" means the State of Oklahoma or a state designated Health Maintenance Organization (HMO). Such HMO shall

be a federally qualified Health Maintenance Organization under 42 U.S.C., Section 300e et seq.;

~~(i)~~ 9. "Health Insurance Plan" means a self-insured plan by the State of Oklahoma for the purpose of paying the cost of hospital and medical care up to the maximum coverage provided by said plan or prepaid medical plan(s) offered to employees as an alternative to the state-administered plan by federally qualified HMOs which have contracted with the state;

~~(j)~~ 10. "Life Insurance Plan" means a self-insured plan for the purpose of paying death and dismemberment benefits up to the maximum coverage provided by ~~said~~ the plan;

~~(k)~~ 11. "~~Dental Insurance~~ Benefits Plan" means a ~~self-insured~~ plan by the State of Oklahoma for the purpose of paying the cost of dental care up to the maximum coverage provided by ~~said~~ the plan; whenever the term "Dental Insurance Plan" or a term of like import appears in the State and Education Employees Group Insurance Act, the term shall mean "Dental Benefits Plan";

~~(l)~~ 12. "Other insurance" means any type of coverage other than basic hospital and medical benefits, major medical benefits, comprehensive benefits, life insurance benefits or dental insurance benefits, which the Board may be directed to offer;

~~(m)~~ 13. "Dependent" means an employee's spouse and any unmarried child (1) under the age of nineteen (19) years, regardless of residence, ~~providing~~ provided that the employee is primarily responsible for their support, including (a) an adopted child and (b) a stepchild or child who lives with the employee in a regular parent-child relationship, or (2) under the age of twenty-five (25) and who is dependent upon the employee for support who is enrolled as a full-time student at an accredited secondary school, college, university, or institution of higher learning accredited by the State Department of Education, State Board of Vocational and Technical Education, Oklahoma State Regents for Higher Education, or the Oklahoma Board of Private Vocational Schools, and (3) regardless of age who is incapable of self-support because of mental or physical incapacity that existed prior to ~~his~~ reaching the age of nineteen (19) years;

~~(n)~~ 14. "Comprehensive benefits" means benefits which reimburse the expense of hospital room and board, other hospital services, certain outpatient expenses, maternity benefits, surgical expense, including obstetrical care, in-hospital medical care expense, diagnostic radiological and laboratory benefits, physicians' services provided by house and office calls, treatments administered in physicians' office, prescription drugs, psychiatric services, Christian Science practitioners' services, Christian Science nurses' services, optometric medical services for injury or illness of the eye, home health care, home nursing service, hospice care, and such other benefits as may be determined by the Board. Such benefits shall be provided on a copayment or coinsurance basis, the insured to pay a proportion of the cost of such benefits, and may be subject to a deductible that applies to all or part of the benefits as determined by the Board; and

~~(o)~~ 15. "Life insurance coverage" shall include a maximum amount of basic life insurance or benefit with or without a double indemnity provision and an amount of accidental death and dismemberment insurance or benefit per employee other than education employees to be provided by the State of Oklahoma, and the employee other than an education employee shall have the option to purchase additional life insurance or benefits on ~~his~~ the employee's life up to the amount provided by the plan. Such basic life insurance benefits, with or without double indemnity, and accidental death and dismemberment benefits shall not exclude coverage for death or dismemberment resulting from war, insurrection or riot. The Board may also extend dependent life insurance in an amount to be determined by the Board to each insured employee other than an education employee who elects to insure ~~his~~ the employee's eligible dependents. Premiums for the dependent life insurance shall be paid wholly by the employee other than an education employee.

SECTION 7. REPEALER 59 O.S. 1991, Sections 328.4, 328.5, and 328.30, as amended by Section 20, Chapter 2, O.S.L. 1996 (59 O.S. Supp. 1997, Section 328.30), are hereby repealed.

SECTION 8. This act shall become effective November 1, 1998.

46-2-3242           WHT           (<time=system>)