

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2458

By: Thomas

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 1991, Section 1-701, as amended by Section 5, Chapter 231, O.S.L. 1995 (63 O.S. Supp. 1997, Section 1-701), which relates to hospitals; clarifying language; adding definition; giving authority to Commissioner of Health and certain State Department of Health staff to obtain certain copies and review records; prohibiting public disclosure; repealing 63 O.S. 1991, Section 1-709, which relates to certain confidential information; providing for codification; 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. 1997, 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-;

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

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

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-;

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-;

6. "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; and

7. "Critical access hospital" means a rural facility that meets critical access hospital certification criteria established by the federal government.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-705a of Title 63, unless there is created a duplication in numbering, reads as follows:

To assure compliance with licensing standards and address public health issues, the Commissioner of Health and authorized State Department of Health staff shall be able to obtain copies and review any patient and/or facility record of any hospital or related institution. If the Department obtains copies of medical records, individual patient names shall be confidential and shall not be publicly disclosed.

SECTION 3. REPEALER 63 O.S. 1991, Section 1-709, is hereby repealed.

SECTION 4. This act shall become effective November 1, 1998.

46-2-9033 KSM