

SHORT TITLE: Public health and safety; deleting obsolete language and updating names of certain boards; effective date.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 280

By: Long

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 1991, Sections 2-309D and 2-309G, which relate to the Anti-Drug Diversion Act; deleting obsolete language and updating names of certain boards; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 1991, Section 2-309D, is amended to read as follows:

Section 2-309D. A. The information collected at the central repository pursuant to the Anti-Drug Diversion Act shall be confidential and shall not be open to the public. Access to the information shall be limited to:

1. Peace officers, l certified pursuant to Section 3311 of Title 70 of the Oklahoma Statutes, l who are employed as investigative agents of the Bureau;

2. The United States Drug Enforcement Administration Diversion Group Supervisor;

3. The executive director or chief investigator, as designated by each board, of the ~~State Boards~~:

a. Board of Podiatry Podiatric Medical Examiners,

b. Board of Governors of Registered Dentists Dentistry,

c. Board of Pharmacy,

- d. State Board of Medical Licensure and Supervision,
- e. State Board of Osteopathic Examiners, and
- f. State Board of Veterinary Medical Examiners;

provided, however, that the executive director or chief investigator of each ~~of these boards~~ board shall be limited to access to information relevant to licensees of his or her employing board only; and

4. A ~~multi-county~~ multicounty grand jury properly convened pursuant to the Multicounty Grand Jury Act, Sections 350 through 363 of Title 22 of the Oklahoma Statutes.

B. This section shall not prevent the disclosure, at the discretion of the Director of the Bureau, of investigative information to peace officers and investigative agents of federal, state, county or municipal law enforcement agencies, district attorneys and the Attorney General in furtherance of criminal investigations or prosecutions within their respective jurisdictions.

C. Any unauthorized disclosure of any information collected at the central repository provided by the Anti-Drug Diversion Act shall be a misdemeanor. Violation of the provisions of this section shall be deemed willful neglect of duty and shall be grounds for removal from office.

SECTION 2. AMENDATORY 63 O.S. 1991, Section 2-309G, is amended to read as follows:

Section 2-309G. The Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall develop criteria for the production of exception reports out of the information collected at the central repository. The Bureau shall seek the counsel of the ~~State Boards:~~

- 1. Board of Podiatry Podiatric Medical Examiners;;
- 2. Board of Governors of Registered Dentists, Dentistry;
- 3. Board of Pharmacy;;
- 4. State Board of Medical Licensure and Supervision;;

5. State Board of Osteopathic Examiners, ~~and~~;
6. State Board of Veterinary Medical Examiners, ~~and the~~;
7. Oklahoma ~~Pediatrics~~ Podiatric Medical Association;i
8. Oklahoma Dental Association;i
9. Oklahoma Pharmaceutical Association;i
10. Oklahoma State Medical Association;i
11. Oklahoma Osteopathic Association;i and
12. Oklahoma Veterinary Medical Association

in developing these criteria.

SECTION 3. This act shall become effective November 1, 1997.

46-1-0534

CJ