

SHORT TITLE: Public health and safety; defining term; providing for records access; repealer; codification; effective date.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 833

By: Rozell

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 and related institutions; adding definitions; authorizing access and review of certain records; providing for confidentiality and nondisclosure; repealing 63 O.S. 1991, Section 1-709, which relates to 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 as 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 ensure compliance with licensing standards and to address public health issues, the State Commissioner of Health and authorized personnel of the State Department of Health shall be authorized to obtain copies and review any patient or facility records of any hospital or related institution. Individual patient names contained in copies of medical records obtained by the Commissioner or Department personnel 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.

46-2-2587 CJ