

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL NO. 1626

By: Maddox of the Senate

and

Armes of the House

COMMITTEE SUBSTITUTE

[ professions and occupations - volunteer medical  
licensure - codification -  
effective date ]

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

SECTION 1. AMENDATORY Section 1, Chapter 138, O.S.L.  
2003 (59 O.S. Supp. 2003, Section 493.5), is amended to read as  
follows:

Section 493.5 A. There is established a special volunteer  
medical license for physicians who are retired from active practice  
and wish to donate their expertise for the medical care and  
treatment of indigent and needy persons of the state. The special  
volunteer medical license shall be:

1. Issued by the State Board of Medical Licensure and  
Supervision to eligible physicians;
2. Issued without the payment of an application fee, license  
fee or renewal fee;
3. Issued or renewed without any continuing education  
requirements;
4. Issued for a fiscal year or part thereof; and
5. Renewable annually upon approval of the Board.

B. A physician must meet the following requirements to be  
eligible for a special volunteer medical license:

1. Completion of a special volunteer medical license application, including documentation of the physician's medical school graduation and practice history;

2. Documentation that the physician has been previously issued a full and unrestricted license to practice medicine in Oklahoma or in another state of the United States and that he or she has never been the subject of any medical disciplinary action in any jurisdiction;

3. Acknowledgement and documentation that the physician's practice under the special volunteer medical license will be exclusively and totally devoted to providing medical care to needy and indigent persons in Oklahoma or persons in medically underserved areas in Oklahoma; and

4. Acknowledgement and documentation that the physician will not receive or have the expectation to receive any payment or compensation, either direct or indirect, for any medical services rendered under the special volunteer medical license.

C. The State Board of Medical Licensure and Supervision shall designate a list of volunteer medical services for which a physician may utilize the special volunteer medical license. Such list may include, but need not be limited to, service at a volunteer clinic or at an educational sporting event.

SECTION 2. AMENDATORY Section 2, Chapter 138, O.S.L. 2003 (59 O.S. Supp. 2003, Section 635.1), is amended to read as follows:

Section 635.1 A. There is established a special volunteer medical license for physicians who are retired from active practice and wish to donate their expertise for the medical care and treatment of indigent and needy persons of the state. The special volunteer medical license shall be:

1. Issued by the State Board of Osteopathic Examiners to eligible physicians;

2. Issued without a payment of an application fee, license fee or renewal fee;

3. Issued or renewed without any continuing education requirements;

4. Issued for a fiscal year or part thereof; and

5. Renewable annually upon approval of the Board.

B. A physician must meet the following requirements to be eligible for a special volunteer medical license:

1. Completion of a special volunteer medical license application, including documentation of the physician's osteopathic school graduation and practice history;

2. Documentation that the physician has been previously issued a full and unrestricted license to practice medicine in Oklahoma or in another state of the United States and that he or she has never been the subject of any medical disciplinary action in any jurisdiction;

3. Acknowledgement and documentation that the physician's practice under the special volunteer medical license will be exclusively and totally devoted to providing medical care to needy and indigent persons in Oklahoma; and

4. Acknowledgement and documentation that the physician will not receive or have the expectation to receive any payment or compensation, either direct or indirect, for any medical services rendered under the special volunteer medical license.

C. The State Board of Osteopathic Examiners shall designate a list of volunteer medical services for which a physician may utilize the special volunteer medical license. Such list may include, but need not be limited to, service at a volunteer clinic or at an educational sporting event.

SECTION 3. AMENDATORY Section 3, Chapter 138, O.S.L. 2003 (59 O.S. Supp. 2003, Section 328.23a), is amended to read as follows:

Section 328.23a A. There is established a special volunteer dental license for dentists who are retired from active practice and wish to donate their expertise for the dental care and treatment of indigent and needy persons of the state. The special volunteer dental license shall be:

1. Issued by the Board of Dentistry to eligible dentists;
2. Issued without the payment of an application fee, license fee or renewal fee;
3. Issued or renewed without any continuing education requirements;
4. Issued for a fiscal year or part thereof; and
5. Renewable annually upon approval of the Board.

B. A dentist must meet the following requirements to be eligible for a special volunteer dental license:

1. Completion of a special volunteer dental license application, including documentation of the dentist's dental school graduation and practice history;
2. Documentation that the dentist has been previously issued a full and unrestricted license to practice dentistry in Oklahoma or in another state of the United States and that he or she has never been the subject of any medical disciplinary action in any jurisdiction;
3. Acknowledgement and documentation that the dentist's practice under the special volunteer dental license will be exclusively and totally devoted to providing dental care to needy and indigent persons in Oklahoma; and
4. Acknowledgement and documentation that the dentist will not receive or have the expectation to receive any payment or compensation, either direct or indirect, for any dental services rendered under the special volunteer dental license.

C. The Board of Dentistry shall designate a list of volunteer medical services for which a dentist may utilize the special

volunteer medical license. Such list may include, but need not be limited to, service at a volunteer clinic or at an educational sporting event.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 725.5 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. A health care provider authorized to use the designation "Doctor", or an abbreviation thereof pursuant to the provisions of Section 725.2 of Title 59 of the Oklahoma Statutes, who renders medical care on a voluntary basis at a free medical clinic or an educational sporting event is not liable for any civil damages, other than for injuries resulting in death, caused by acts or omissions of the health care provider while rendering such medical care unless it is plainly alleged in the complaint and later proven that the acts or omissions of the health care provider constituted gross negligence or willful or wanton wrongs during the rendering of such medical care.

B. As used in this section:

1. "Voluntary" means services provided without receiving remuneration of any sort; and

2. "Free medical clinic" means a clinic that is established solely to provide primary health care to indigent persons who are otherwise unable to obtain medical services, at which the care provided does not include the use of general anesthesia or require an overnight stay in a health care facility.

SECTION 5. This act shall become effective November 1, 2004.

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