

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1503

By: Roan

COMMITTEE SUBSTITUTE

An Act relating to emergency medical services; amending 63 O.S. 2001, Sections 1-2509 and 1-2513, which relate to operation of certain ambulance services; providing for certain licensure exemptions; requiring certain requests to originate from certain entities; providing for certain investigations; authorizing certain licensing; providing for certain exceptions; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-2509, is amended to read as follows:

Section 1-2509. A. No person, company, governmental entity or trust authority may operate an ambulance service within this state except as provided ~~herein~~ in this section. The State Commissioner of Health, the district attorney of the county wherein the ambulance service operates or may be found or the Attorney General of this state shall have the authority to bring an action to enjoin the operation of any ~~such~~ ambulance service not in compliance with the provisions of this act.

1. A ground ambulance service based outside this state, licensed in good standing in its home state, may respond to an emergency request for care and transportation of a patient within this state provided no local licensed ambulance service is readily available, and may be exempt from licensing requirements pursuant to rules promulgated by the State Board of Health.

2. Requests for service must be referred by an emergency dispatch center in Oklahoma. The exempted ambulance service may be

asked to provide documentation of emergency response activities performed within this state.

3. The State Department of Health shall have the authority to investigate any complaint associated with an emergency response by an out-of-state ambulance service in the same manner as ambulance services licensed by the Department within this state.

B. The Commissioner shall have the authority to revoke or suspend any license, to issue probationary licenses, or to levy such administrative fines and penalties as may be deemed necessary, for violations of the provisions of this act, subject to the provisions of the Oklahoma Administrative Procedures Act. The powers afforded the Commissioner within the general enforcement provisions of the Public Health Code are additionally incorporated herein.

C. In addition to any other penalties, any person, company, governmental entity or trust authority who violates any of the provisions of this act relating to compliance with the provisions of this act or of standards, specifications, procedures, rules and regulations adopted by the State Board may be punished by the assessment of a civil penalty of not more than One Hundred Dollars (\$100.00) for each violation. Each day a violation continues shall be considered a separate offense.

D. The operation or maintenance of an ambulance service in violation of this act, or the rules and regulations promulgated by the State Board, is declared a public nuisance inimical to the public welfare. The Commissioner in the name of the people of the state, through the Attorney General, or the district attorney of the county in which the ambulance service is located, may, in addition to other remedies herein provided, bring action for an injunction to restrain such violation or to enjoin the future operation or maintenance of any such ambulance service.

SECTION 2. AMENDATORY 63 O.S. 2001, Section 1-2513, is amended to read as follows:

Section 1-2513. A. All persons, companies, governmental entities or trust authorities desiring to operate an ambulance service shall file with the Commissioner an application for a license to operate ~~such~~ the service. The Commissioner shall, within two (2) months of the date of the application, notify the applicant in writing of the granting or rejecting of the license and shall, in the event of rejection, specify the reasons for the rejection.

B. The Commissioner may issue an Oklahoma Air Ambulance Provider License to an Air Ambulance provider, duly licensed in good standing and operating from bases in an adjoining state, that makes application and provides documentation pursuant to rules promulgated by the State Board of Health. The ambulance providers shall not be required to have staff licensed in this state so long as all staff meets the licensure requirements in the state of origin.

SECTION 3. This act shall become effective November 1, 2005.

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