

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1853

By: Steele

COMMITTEE SUBSTITUTE

An Act relating to public health and safety;
providing short title; creating Rx for Oklahoma Act;
defining terms; authorizing statewide program;
providing for eligibility; providing for certain
designations; providing for promulgation of rules;
and providing for assistance by the Oklahoma
Department of Commerce; providing for codification;
and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 5040.2 of Title 74, unless there
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Rx for Oklahoma
Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 5040.3 of Title 74, unless there
is created a duplication in numbering, reads as follows:

As used in the Rx for Oklahoma Act:

1. "Community action agencies" means agencies designated by the
Oklahoma Department of Commerce, pursuant to Section 5038 of Title
74 of the Oklahoma Statutes;

2. "Medically indigent" means a person eligible to receive
Medicaid or Medicare or a person who has no health insurance and who

otherwise meets the criteria established by the program for the purchase of prescribed medications; and

3. "Prescription drug" means a drug which may be dispensed only upon prescription by a health care professional authorized by the appropriate licensing authority and which is approved for safety and effectiveness as a prescription drug under Section 505 or 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040 (1938), 21 U.S.C.A., Section 301).

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5040.4 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Beginning November 1, 2005, various entities and agencies including, but not limited to, community action agencies, the Department of Human Services, and county health departments are authorized to establish a statewide program to assist medically indigent residents of Oklahoma with receiving prescriptions from drug manufacturers through assistance programs.

B. Eligibility for the Rx for Oklahoma Act shall be residents of Oklahoma who:

1. Are medically indigent; or
2. Are not medically indigent but cannot reasonably afford to pay for prescription medications.

C. The Oklahoma Department of Commerce, the Department of Human Services, or the county health departments shall promulgate rules or establish procedures necessary to implement the program established by the Rx for Oklahoma Act.

D. The Oklahoma Department of Commerce shall provide technical assistance to community action agencies who may wish to participate in the program.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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