STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2054 By: Trebilcock

COMMITTEE SUBSTITUTE

An Act relating to the Affordable Access to Health Care Act; amending Section 1, Chapter 390, O.S.L. 2003, as amended by Section 20, Chapter 368, O.S.L. 2004 (63 O.S. Supp. 2004, Section 1-1708.1A), which relates to the short title for the Affordable Access to Health Care Act; providing immunity from liability in civil actions to health care providers who refuse to perform certain services; validating certain sections of law; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY Section 1, Chapter 390, O.S.L. 2003, as amended by Section 20, Chapter 368, O.S.L. 2004 (63 O.S. Supp. 2004, Section 1-1708.1A), is amended to read as follows:

Section 1-1708.1A Sections 1-1708.1A through ~~1-1708.1G~~ 1-1708.1I of this title and ~~Sections 22, 23 and 24~~ Section 2 of this act shall be known and may be cited as the "Affordable Access to Health Care Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-1708.1J of Title 63, unless there is created a duplication in numbering, reads as follows:

No health care provider shall be liable in any civil action for refusing to perform or provide the following services if to do so is contrary to the religious beliefs or moral conviction of the health care provider:

1. A sterilization procedure;

2. An abortion;

3. An experimental or medical procedure that destroys an in vitro human embryo or uses cells or tissue derived from the destruction of an in vitro human embryo;

4. An experiment or medical procedure on an in vitro human embryo that is not related to the beneficial treatment of the in vitro human embryo;

5. An experiment or medical procedure on a developing child in an artificial womb, at any stage of development, that is not related to the beneficial treatment of the developing child;

6. A procedure, including a transplant procedure, that uses fetal tissue or organs other than fetal tissue or organs from a stillbirth, spontaneous abortion, or miscarriage;

7. The withholding or withdrawal of nutrition or hydration from a patient, if the withholding or withdrawal of nutrition or hydration would result in the patient's death from malnutrition or dehydration, or complications of malnutrition or dehydration, rather than from an underlying illness or injury, unless the administration of nutrition or hydration is medically contraindicated; or

8. An act that intentionally causes or assists in causing the death of an individual by assisted suicide, euthanasia, or mercy killing.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 864 of Title 21, unless there is created a duplication in numbering, reads as follows:

The provisions of Section 861 of Title 21 of the Oklahoma Statutes shall become effective upon the cessation of the United States Supreme Court decision of Roe v. Wade, 410 U.S. 113, upon certification by the Oklahoma Attorney General.

SECTION 4. This act shall become effective November 1, 2005.

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