

ENROLLED SENATE
BILL NO. 987

By: Cain of the Senate

and

Peters of the House

An Act relating to children; amending 10 O.S. 2001, Section 601.31, as amended by Section 5, Chapter 421, O.S.L. 2004 (10 O.S. Supp. 2004, Section 601.31), which relates to child abuse examiners; deleting provisions related to rules; modifying duties of the Oklahoma Commission on Children and Youth related to child abuse examination certification; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 10 O.S. 2001, Section 601.31, as amended by Section 5, Chapter 421, O.S.L. 2004 (10 O.S. Supp. 2004, Section 601.31), is amended to read as follows:

Section 601.31 A. The Oklahoma Commission on Children and Youth shall:

1. Promulgate rules providing for:
 - a. the training and continuing training requirements for ~~the certification of~~ allopathic and osteopathic physicians, physicians' assistants, and registered nurses, in a manner consistent with their existing scopes of practice, as ~~certified~~ Child Abuse Examiners and for the renewal, nonrenewal, suspension and revocation of such certification. ~~Rules promulgated pursuant to the provisions of this subparagraph shall be provided to the chair of the Senate Human Resources Committee and the chair of the House Public Health Committee prior to the beginning of the 1st Session of the 50th Legislature and shall not take effect prior to May 1, 2005,~~
 - b. the duties and responsibilities of ~~certified~~ Child Abuse Examiners, and
 - c. uniform standards for medical examinations and evaluations of children suspected to be victims of child abuse or neglect and uniform forms for written reports of such examinations and evaluations;

2. Distribute an initial listing, and revised listings as often as necessary, of ~~certified~~ Child Abuse Examiners to:

- a. each county office of the Department of Human Services,
- b. each local county or city-county health department. Where there is no local health department, the listing shall be sent to the local county board of health,
- c. each district attorney, and
- d. other persons as necessary and advisable, upon the recommendation of the Board of Child Abuse Examiners; and

3. With funds appropriated or otherwise available for such purpose, may provide by contract for:

- a. the services of a physician to serve as Chief Child Abuse Examiner, and
- b. the establishment and implementation of a training program and continuing training program for ~~the certification of~~ physicians, physicians' assistants and registered nurses, in a manner consistent with their existing scopes of practice, as Child Abuse Examiners and for consultation services to ~~physicians~~ such persons in matters relating to child abuse and neglect through contracts with ~~the medical schools of~~ the University of Oklahoma and Oklahoma State University.

B. The Board of Child Abuse Examination shall:

1. Prepare the rules, standards and forms required by subsection A of this section, and amendments to the rules, standards and forms as necessary, for the approval of the Commission;

2. In cooperation with the ~~medical schools of the~~ University of Oklahoma and Oklahoma State University, develop and maintain training programs and consultation services for physicians and ~~certified~~ Child Abuse Examiners;

3. In consultation and cooperation with the Department of Human Services and the Oklahoma Health Care Authority, develop a uniform system of reimbursement for medical examinations and evaluations of cases of suspected child abuse or neglect which are compensable pursuant to Title XIX of the federal Social Security Act for adoption by the ~~Department of Human Services~~ Oklahoma Health Care Authority;

4. Develop and maintain an accurate listing of ~~certified~~ trained Child Abuse Examiners for distribution by the Commission; and

5. Engage in such other activities as necessary and appropriate for the establishment and maintenance of a statewide system of expert medical examination and evaluation of children suspected to be victims of child abuse and neglect, subject to the approval and authorization of the Commission.

C. The Chief Child Abuse Examiner shall be a physician with experience in the area of child abuse and neglect and, as requested or directed by the Board, shall:

1. Provide consultant services to the Board as necessary for the preparation of the rules, standards and forms required by subsection A of this section;

2. Assist the Board and the ~~medical schools of the~~ University of Oklahoma and Oklahoma State University with the development, implementation, maintenance and coordination of the training programs required by this section;

3. Prepare written reports for the Board and the Commission regarding progress of the system established by this act; and

4. As requested by the Board, perform other duties as necessary to assist the Board in the performance of its duties and responsibilities.

SECTION 2. This act shall become effective July 1, 2005.

SECTION 3. 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.

Passed the Senate the 19th day of May, 2005.

Presiding Officer of the Senate

Passed the House of Representatives the 28th day of April, 2005.

Presiding Officer of the House
of Representatives