

CS for EHB 1503

THE STATE SENATE
Wednesday, April 13, 2005

Committee Substitute for
ENGROSSED

House Bill No. 1503

COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 1503 - By: ROAN
and NANCE of the House and GUMM of the Senate.

An Act relating to public health and safety; amending 63
O.S. 2001, Sections 1-2509 and 1-2513, which relate to the
Oklahoma Emergency Response Systems Development Act;
providing licensure exemption for certain ambulance service;
specifying origination of requests; providing for certain
documentation request; authorizing certain investigation;
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 1. A ground ambulance service based outside of this state that
2 is licensed and in good standing in its home state may respond to an
3 emergency request for care and transport of a patient within this
4 state provided no local licensed ambulance service is readily
5 available, and may be exempt from the licensing requirements of this
6 state pursuant to rules promulgated by the State Board of Health.

7 2. Requests for service must be referred by an Oklahoma
8 emergency dispatch center. The Board may require such exempt
9 ambulance service to subsequently provide documentation of emergency
10 response activities performed within this state.

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

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

22 C. In addition to any other penalties, any person, company,
23 governmental entity or trust authority who violates any of the

1 provisions of this act relating to compliance with the provisions of
2 this act or of standards, specifications, procedures, rules and
3 regulations adopted by the State Board may be punished by the
4 assessment of a civil penalty of not more than One Hundred Dollars
5 (\$100.00) for each violation. Each day a violation continues shall
6 be considered a separate offense.

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

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

18 Section 1-2513. A. All persons, companies, governmental
19 entities or trust authorities desiring to operate an ambulance
20 service shall file with the State Commissioner of Health an
21 application for a license to operate ~~such~~ the service. The
22 Commissioner shall, within two (2) months of the date of the
23 application, notify the applicant in writing of the granting or

1 ~~rejecting~~ rejection of the license and shall, in the event of
2 rejection, specify the reasons for the rejection.

3 B. The Commissioner may issue an Oklahoma Air Ambulance
4 Provider License to an Air Ambulance provider, duly licensed in good
5 standing and operating from bases in an adjoining state, that makes
6 application and provides documentation pursuant to rules promulgated
7 by the State Board of Health. Such ambulance provider staff shall
8 not be required to be licensed in this state but shall be required
9 to meet the licensure requirements in the state of origin.

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

11 COMMITTEE REPORT BY: COMMITTEE ON HEALTH & HUMAN RESOURCES, dated
12 4-7-05 - DO PASS, As Amended.