

CS for SB 987

THE STATE SENATE
Monday, February 28, 2005

Committee Substitute for
Senate Bill No. 987

COMMITTEE SUBSTITUTE FOR 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; modifying duties of the Oklahoma Commission on Children and Youth related to child abuse examination certification; deleting provisions related to rules; 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

1 ~~pursuant to the provisions of this subparagraph shall~~
2 ~~be provided to the chair of the Senate Human Resources~~
3 ~~Committee and the chair of the House Public Health~~
4 ~~Committee prior to the beginning of the 1st Session of~~
5 ~~the 50th Legislature and shall not take effect prior~~
6 ~~to May 1, 2005,~~

7 b. the duties and responsibilities of ~~certified~~ Child
8 Abuse Examiners, and

9 c. uniform standards for medical examinations and
10 evaluations of children suspected to be victims of
11 child abuse or neglect and uniform forms for written
12 reports of such examinations and evaluations;

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

15 a. each county office of the Department of Human
16 Services,

17 b. each local county or city-county health department.

18 Where there is no local health department, the listing
19 shall be sent to the local county board of health,

20 c. each district attorney, and

21 d. other persons as necessary and advisable, upon the
22 recommendation of the Board of Child Abuse Examiners;

23 and

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

3 a. the services of a physician to serve as Chief Child
4 Abuse Examiner, and

5 b. the establishment and implementation of a training
6 program and continuing training program for ~~the~~
7 certification of physicians, physicians' assistants
8 and registered nurses, in a manner consistent with

9 their existing scopes of practice, as Child Abuse
10 Examiners and for consultation services to ~~physicians~~
11 such persons in matters relating to child abuse and
12 neglect through contracts with the ~~medical schools of~~
13 ~~the~~ University of Oklahoma and Oklahoma State
14 University.

15 B. The Board of Child Abuse Examination shall:

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

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

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

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

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

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

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

21 2. Assist the Board and the ~~medical schools of the~~ University
22 of Oklahoma and Oklahoma State University with the development,

1 implementation, maintenance and coordination of the training
2 programs required by this section;

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

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

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

9 SECTION 3. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13 COMMITTEE REPORT BY: COMMITTEE ON HEALTH & HUMAN RESOURCES, dated
14 2-24-05 - DO PASS, As Amended and Coauthored.