

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 2820

By: Peterson (Pam)

AS INTRODUCED

An Act relating to public health and safety; requiring the licensure of persons who provide companion or sitter services; providing definitions; authorizing the State Department of Health to promulgate rules; specifying regulations; providing exceptions; providing for penalties; providing for codification; and providing an effective date.

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 1-1972 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. No person shall offer companion or sitter services without first obtaining a license in accordance with this section.

B. As used in this section, "companion" means a person who stays with and serves another in exchange for consideration, and "sitter" means a person who sits with another in exchange for consideration.

C. The State Department of Health shall establish a system and promulgate rules for the licensing of persons who provide companion or sitter services to persons in the State of Oklahoma. The plan shall include, but not be limited to:

1. Record keeping, including the name, address, and services provided for all clients, duties performed on each day of service, background checks of persons providing services, CPR, and any other related information; and

2. The advertising of services, including flyers, telephone directory listings, publications, and any media related advertising.

D. The provisions of this section shall not apply to those persons exempted under subsection C of Section 1-1962 of Title 63 of the Oklahoma Statutes.

E. For purposes of this section, the State Department of Health shall have all powers and duties provided to the Department by the Home Care Act. This section shall be under the jurisdiction of the Home Health Advisory Board established by Section 1-1970 of Title 63 of the Oklahoma Statutes.

F. Any person found violating the provisions of this section or rules promulgated by the State Department of Health shall be subject to the penalties provided for in Section 1-1966 of Title 63 of the Oklahoma Statutes.

SECTION 2. This act shall become effective November 1, 2006.

50-2-8225            GRS            01/19/06