

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2763

6 By: Cox

7 COMMITTEE SUBSTITUTE

8 An Act relating to public health and safety; amending
9 59 O.S. 2001, Sections 493.2 and 493.4, as last
10 amended by Sections 4 and 5, Chapter 523, O.S.L. 2004
11 (59 O.S. Supp. 2007, Sections 493.2 and 493.4), which
12 relate to the Oklahoma Allopathic Medical and
13 Surgical Licensure and Supervision Act; modifying
14 foreign application requirements; providing for
15 additional special license; amending 63 O.S. 2001,
16 Section 1-218.1, which relates to travel expenses and
17 reimbursement for employees of city-county health
18 departments; providing for issuance of credit cards
19 to employees of a city-county health department;
20 limiting chargeable expenses; defining term;
21 specifying payment procedures for charges; providing
22 for receipts; providing for certain form developed by
23 the State Auditor and Inspector; providing for
24 procedures for form and recording of certain
information; prohibiting reimbursement under certain
circumstance; amending 59 O.S. 2001, Section 2306,
which relates to the Oklahoma Licensed Pedorthists
Act; modifying licensure requirements; providing for
codification; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 59 O.S. 2001, Section 493.2, as
2 last amended by Section 4, Chapter 523, O.S.L. 2004 (59 O.S. Supp.
3 2007, Section 493.2), is amended to read as follows:

4 Section 493.2 A. Foreign applicants shall meet all
5 requirements for licensure as provided in Sections 492.1 and 493.1
6 of this title.

7 B. 1. A foreign applicant shall possess the degree of Doctor
8 of Medicine or a Board-approved equivalent based on satisfactory
9 completion of educational programs from a school with education and
10 training ~~substantially~~ equivalent to that offered by the University
11 of Oklahoma College of Medicine.

12 2. In the event the foreign medical school utilized clerkships
13 in the United States, its territories or possessions, such
14 clerkships shall have been performed in hospitals and schools that
15 have programs accredited by the Accreditation Council for Graduate
16 Medical Education (ACGME).

17 C. A foreign applicant shall have a command of the English
18 language that is satisfactory to the State Board of Medical
19 Licensure and Supervision, demonstrated by the passage of an oral
20 English competency examination.

21 D. The Board may promulgate rules requiring all foreign
22 applicants to satisfactorily complete at least twelve (12) months
23 and up to twenty-four (24) months of Board-approved progressive
24

1 graduate medical training as determined necessary by the Board for
2 the protection of the public health, safety and welfare.

3 E. All credentials, diplomas and other required documentation
4 in a foreign language submitted to the Board by such applicants
5 shall be accompanied by notarized English translations.

6 F. Foreign applicants shall provide satisfactory evidence of
7 having met the requirements for permanent residence or temporary
8 nonimmigrant status as set forth by the United States Immigration
9 and Naturalization Service.

10 G. Foreign applicants shall provide a certified copy of the
11 Educational Commission for Foreign Medical Graduates (ECFMG)
12 Certificate to the Board at such time and in such manner as required
13 by the Board. The Board may waive the requirement for an
14 Educational Commission for Foreign Medical Graduates Certificate by
15 rule for good cause shown.

16 SECTION 2. AMENDATORY 59 O.S. 2001, Section 493.4, as
17 amended by Section 5, Chapter 523, O.S.L. 2004 (59 O.S. Supp. 2007,
18 Section 493.4), is amended to read as follows:

19 Section 493.4. A. No person who is granted a special license
20 or a special training license shall practice outside the limitations
21 of ~~such~~ the license.

22 B. To be eligible for special or special training licensure,
23 the applicant shall have completed all the requirements for full and
24 unrestricted medical licensure except graduate education and/or

1 licensing examination or other requirements relative to the basis
2 for the special license or special training license.

3 C. By rule, the State Board of Medical Licensure and
4 Supervision shall establish restrictions for special and special
5 training licensure to assure that the holder will practice only
6 under appropriate circumstances as set by the Board.

7 D. A special license or special training license shall be
8 renewable annually upon the approval of the Board and upon the
9 evaluation of performance in the special circumstances upon which
10 the special license or special training license was granted.

11 E. The issuance of a special license or a special training
12 license shall not be construed to imply that a full and unrestricted
13 medical license will be issued at a future date.

14 F. All other provisions of the Oklahoma Allopathic Medical and
15 Surgical Licensure and Supervision Act shall apply to holders of
16 special licenses or special training licenses.

17 G. This section shall not limit the authority of any state
18 agency or educational institution in this state which employs a
19 special or special training licensed physician to impose additional
20 practice limitations upon such physician.

21 SECTION 3. AMENDATORY 63 O.S. 2001, Section 1-218.1, is
22 amended to read as follows:

23 Section 1-218.1 A. Upon direction of the director of a
24 city-county health department, with approval of the board of county

1 commissioners of the county, employees of such city-county health
2 department may be reimbursed for use of their personally owned
3 automobiles while performing their duties on official business for
4 the Department at a rate not to exceed that allowed for mileage to
5 state employees. Travel claims for reimbursement on a mileage basis
6 shall be accompanied by a detailed statement showing an adequate
7 basis for computing the miles of travel and the purpose for the
8 travel, and may be paid from any funds available for that purpose.

9 B. Subject to the limitations and procedures provided by this
10 section, approved employees of a city-county health department may
11 purchase materials, supplies, or services necessary for travel out
12 of the county in which the city-county health department operates by
13 use of one or more credit cards issued to the city-county health
14 department. Purchases made with the credit cards shall be limited
15 to actual expenses for travel out of the county by employees in the
16 performance of their official duties. For purposes of this section
17 "actual expenses for travel" shall mean expenses for travel by
18 public or private railroads, airplanes, buses, rental cars, or other
19 public or private conveyances, fuel, oil, meals, lodging, parking
20 fees, or telephone expenses.

21 C. The city-county health department shall encumber sufficient
22 funds each month to pay for the estimated charges made with the
23 cards including any annual or other fee owed for use of the cards.
24 Payment for charges incurred on any card shall be made in a timely

1 manner so that no interest charges or penalties accrue and so that
2 the total payment amount corresponds to the balance of charges for
3 purchases in addition to any applicable annual fee or service
4 charge.

5 D. All receipts for charges made by use of any card issued to a
6 city-county health department shall be maintained to facilitate
7 accurate records of total monthly expenditures for which the city-
8 county health department shall be obligated.

9 E. Employees who make credit purchases with credit cards issued
10 to a city-county health department shall immediately and accurately
11 document the expenditures on a form prepared by the State Auditor
12 and Inspector, attaching receipts and a written explanation of each
13 expenditure as to the date, case number, or other identification
14 number, area or location, reason for expenditure and amount
15 expended. A copy of the form shall be submitted to the director of
16 the city-county health department for approval and the original form
17 shall be attached to the purchase order and shall be submitted for
18 payment. A copy of the form shall be retained for the records of
19 the city-county health department.

20 F. An employee of the city-county health department shall not
21 receive any reimbursement pursuant to the provisions of subsection A
22 of this section for any expenses for which a credit card issued
23 pursuant to the provisions of this section has been used.

24

1 SECTION 4. AMENDATORY 59 O.S. 2001, Section 2306, is
2 amended to read as follows:

3 Section 2306. A. The State Board of Medical Licensure and
4 Supervision, with the assistance of the Advisory Committee on
5 Pedorthics, shall establish qualifications for licensure and
6 registration under the Oklahoma Licensed Pedorthists Act. The Board
7 shall also provide, as set forth herein, an alternative
8 qualification licensure opportunity for current practitioners in
9 this state and for practitioners coming into this state prior to
10 November 1, 2004, who are unable to meet standard qualifications.

11 B. To be licensed to practice pedorthics according to standard
12 qualifications, a person shall have passed all examinations required
13 for certification by ~~the Board for Certification in Pedorthics (BCP)~~
14 an entity approved by the Board as a certification organization for
15 licensure purposes. Once licensed, a pedorthist shall meet
16 continuing education and annual renewal requirements to maintain
17 pedorthic licensure. The licensed pedorthist shall also adhere to a
18 code of ethics adopted by the Board upon recommendation of the
19 Committee. Absent another professional certification or credential,
20 a licensed pedorthist shall not diagnose, prescribe, provide
21 prognosis, perform invasive procedures, or make, without a
22 prescription, any custom or customized shoe, device, or modification
23 addressing a medical condition.

24

1 C. To be licensed under alternative qualification a person
2 shall:

3 1. Pass an examination, which may be an available examination
4 designated by the State Board of Medical Licensure and Supervision
5 or an examination developed by the Board; or

6 2. Enter into an alternative qualification contract with the
7 State Board of Medical Licensure and Supervision, the conditions of
8 which shall be based on the Board's evaluation of the applicant's
9 experience and the Board's determination of further experience
10 needed or other requirements to be met, which contract shall specify
11 a period of time not to exceed ten (10) years for completion of the
12 further experience or requirements.

13 D. Upon execution of the alternative qualification contract,
14 the Board shall issue a license and shall renew the license subject
15 to the licensee's making satisfactory progress as required by the
16 contract. Persons who satisfactorily complete the alternative
17 qualification contract shall be thereafter considered as having met
18 the qualification necessary for license renewal.

19 E. No person shall be permitted to enter into an alternative
20 qualification contract after October 31, 2004. A person who has not
21 done so by October 31, 2004, shall not be issued a license to
22 practice pedorthics without meeting standard qualifications.

23 F. Notwithstanding any other provision of this section, a
24 person who has practiced full time during the three-year period

1 immediately preceding the effective date of this act in a pedorthic
2 facility as a pedorthist, may file an application with the Board
3 within ninety (90) days from the effective date of this act for
4 permission to continue to practice at his or her identified level of
5 practice. The Board, after verifying the applicant's work history
6 and receiving payment of the application fee as established pursuant
7 to this act, shall without examination of the applicant, issue the
8 applicant a license or certificate of registration. For making
9 investigations necessary to verify the work history, the Board may
10 require that the applicant complete a questionnaire regarding the
11 work history and scope of practice. The Board shall take no more
12 than six (6) months to make the investigations necessary to verify
13 the work history. Applicants applying after the ninety-day
14 application period of this subsection has expired, shall meet the
15 qualifications elsewhere set forth for standard or alternative
16 qualification for licensure or for registration as determined by the
17 Board.

18 SECTION 5. It being immediately necessary for the preservation
19 of the public peace, health and safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

22

23 51-2-10496 SAB 03/03/08

24