

THE HOUSE OF REPRESENTATIVES
Thursday, March 6, 2008

Committee Substitute for
House Bill No. 2805

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2805 - By: BROWN of the House.

(public health and safety - Oklahoma Health Records Efficiency Act –
codification -
effective date)

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

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 1-150.1 of Title 63, unless there is created a duplication in
3 numbering, reads as follows:

4 This act shall be known and may be cited as the “Oklahoma Health Records
5 Efficiency Act”.

6 SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma
7 Statutes as Section 1-150.2 of Title 63, unless there is created a duplication in
8 numbering, reads as follows:

9 As used in the Oklahoma Health Records Efficiency Act:

10 1. “Health care provider” means any person who provides health care services
11 including, but not limited to, physicians, physical therapists, physician assistants,

1 pharmacists, nurses, and home health care providers licensed pursuant to the laws of
2 this state; and

3 2. "Health care facility" means any nonfederal institution or portion thereof,
4 whether public or private or for profit or nonprofit, that is used, operated, or designed to
5 provide health services, medical treatment, or nursing, rehabilitative, or preventive care
6 to any person. Health care facility includes, but is not limited to:

- 7 a. hospitals,
- 8 b. ambulatory surgical facilities,
- 9 c. intermediate care facilities,
- 10 d. kidney dialysis centers,
- 11 e. long-term care facilities,
- 12 f. mental health centers,
- 13 g. outpatient facilities,
- 14 h. public health centers,
- 15 i. rehabilitation facilities,
- 16 j. residential treatment facilities, and
- 17 k. skilled nursing facilities.

18 SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma
19 Statutes as Section 1-150.3 of Title 63, unless there is created a duplication in
20 numbering, reads as follows:

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 A. On or before July 1, 2009, the State Department of Health shall adopt a
2 standardized electronic health records system with statewide capabilities. The system
3 shall include, but not be limited to:

4 1. Provisions for interoperable information sharing among state agencies, health
5 care facilities, and health care providers licensed in this state;

6 2. Measures to protect the privacy of patients;

7 3. Measures that include electronic prescribing; and

8 4. Availability of training on the use of the system to health care providers.

9 B. Health care facilities shall require the use of the statewide-capable electronic
10 health records system by all physicians, registered nurses, licensed practical nurses,
11 pharmacists, and any other person who are members of or associated with the staff of the
12 health care facility when treating patients at the facility.

13 C. The Department shall adopt and distribute a standard authorization form and
14 accompanying instructions for use in obtaining authorization for the exchange of health
15 information. The authorization form adopted and distributed by the Board shall comply
16 with all applicable federal and state privacy and privilege laws.

17 SECTION 4. This act shall become effective November 1, 2008.

18 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 03-05-08 - DO
19 PASS, As Amended.