

EHB 2608

THE STATE SENATE
Monday, April 7, 2008

ENGROSSED

House Bill No. 2608

As Amended

ENGROSSED HOUSE BILL NO. 2608 - By: Ellis of the House and Leftwich of the Senate.

[public health and safety - long-term care facility
certificate of need -
emergency]

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

SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-852.1, as amended by Section 4, Chapter 436, O.S.L. 2004 (63 O.S. Supp. 2007, Section 1-852.1), is amended to read as follows:

Section 1-852.1 A. Each application for a new certificate of need applied for pursuant to the provisions of Section 1-852 of this title, except for those applications filed by state agencies, shall be accompanied by an application fee ~~equal to one percent (1%) of the capital cost of the project, with a minimum fee of One Thousand Dollars (\$1,000.00)~~ of Three Thousand Dollars (\$3,000.00).

B. The maximum filing fee on an application for replacement of an existing facility, ~~pursuant to subsection D of Section 1-853 of this title,~~ shall be One Thousand Dollars (\$1,000.00).

C. 1. The maximum filing fee on an application for an acquisition shall be Three Thousand Dollars (\$3,000.00).

1 2. The capital cost for acquisition shall be the current book
2 value of the facility as shown by a recognized method or basis of
3 accounting as attested by a Certified Public Accountant.

4 D. If an application for a certificate of need is not approved,
5 the Department shall refund the application fee in full.

6 E. Each request for exemption from certificate of need
7 requirements submitted under Section 1-852 of this title, except for
8 a request filed by a state agency, shall be accompanied by a fee of
9 One Hundred Dollars (\$100.00).

10 SECTION 2. AMENDATORY 63 O.S. 2001, Section 2601, is
11 amended to read as follows:

12 Section 2601. For the purposes of this act, the following words
13 and phrases mean:

14 (a) "Minor" means any person under the age of eighteen (18)
15 years of age, except such person who is on active duty with or has
16 served in any branch of the Armed Services of the United States
17 shall be considered an adult.

18 (b) "Health professional" means for the purposes of this act
19 any licensed physician, psychologist, dentist, osteopathic
20 physician, podiatrist, chiropractor, emergency medical services
21 personnel, registered or licensed practical nurse or physician's
22 assistant.

1 (c) "Health services" means services delivered by any health
2 professional including examination, preventive and curative
3 treatment, surgical, hospitalization, and psychological services,
4 except abortion or sterilization. Should the health services
5 include counseling concerning abortion, all alternatives will be
6 fully presented to the minor. Services in this act shall not
7 include research or experimentation with minors except where used in
8 an attempt to preserve the life of that minor, or research as
9 approved by an appropriate review board involved in the management
10 of reportable diseases.

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

15 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-2-08 - DO
16 PASS, As Amended.