

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1492

By: Wilson

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5
6 AS INTRODUCED

7 An Act relating to public health and safety;
8 directing the State Department of Health to implement
9 a statewide electronic health records system;
10 directing the Department to promulgate certain rules;
11 requiring health care facilities to use the statewide
12 electronic health records system; providing certain
13 penalty; creating the Oklahoma Uninsured and
14 Underinsured Revolving Fund; defining terms;
15 providing for codification; and providing an
16 effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1-722.1 of Title 63, unless
20 there is created a duplication in numbering, reads as follows:

21 A. On or before July 1, 2009, the State Department of Health
22 shall develop and implement a statewide electronic health records
23 system.

24 B. The Department shall promulgate rules to implement the
statewide electronic health records system which, at a minimum,
shall include:

- 1 1. A system for information sharing between health care
- 2 facilities and health care providers licensed in the state;
- 3 2. Measures to protect the privacy of patients; and
- 4 3. Availability of training to health care providers.

5 C. Health care facilities shall require the use of the
6 statewide electronic health records system by all physicians,
7 registered nurses, licensed practical nurses, pharmacists and other
8 persons who are members of or associated with the staff of the
9 health care facility when treating patients at the facility.

10 D. For each visit with a patient for which the statewide
11 electronic health records system was not used, health care
12 facilities shall remit five percent (5%) of the billed amount to the
13 Oklahoma Uninsured and Underinsured Revolving Fund created in
14 subsection E of this section.

15 E. There is hereby created in the State Treasury a revolving
16 fund for the Oklahoma Health Care Authority to be designated the
17 "Oklahoma Uninsured and Underinsured Revolving Fund". The fund
18 shall be a continuing fund, not subject to fiscal year limitations,
19 and shall consist of all monies received by the Oklahoma Health Care
20 Authority from health care facilities pursuant to subsection D of
21 this act. All monies accruing to the credit of said fund are hereby
22 appropriated and may be budgeted and expended by the Oklahoma Health
23 Care Authority for the purpose of providing medical assistance to
24 the uninsured and underinsured. Expenditures from said fund shall

1 be made upon warrants issued by the State Treasurer against claims
2 filed as prescribed by law with the Director of State Finance for
3 approval and payment.

4 F. As used in this section:

5 1. "Health care providers" means any person who provides health
6 care services including, but not limited to, physicians, physical
7 therapists, physician assistants, pharmacists, nurses and home
8 health care providers licensed pursuant to the laws of this state;
9 and

10 2. "Health care facility" means any nonfederal institution or
11 portion thereof, whether public or private or for profit or
12 nonprofit, that is used, operated, or designed to provide health
13 services, medical treatment, or nursing, rehabilitative, or
14 preventive care to any person or persons. This includes, but is not
15 limited to, hospitals, ambulatory surgical facilities, intermediate
16 care facilities, kidney dialysis centers, long-term care facilities,
17 mental health centers, outpatient facilities, public health centers,
18 rehabilitation facilities, residential treatment facilities, and
19 skilled nursing facilities.

20 SECTION 2. This act shall become effective November 1, 2008.

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