

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1311

By: Rice, Coates and Crain of
the Senate

3
4 and

5 Cox of the House
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8 An Act relating to professions and occupations;
amending Section 1, Chapter 138, O.S.L. 2003, as last
9 amended by Section 1, Chapter 255, O.S.L. 2009 (59
O.S. Supp. 2009, Section 493.5), which relates to
10 special volunteer license; * * * and declaring an
emergency.
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13 AUTHORS: Add the following House Coauthors: Denney, Hoskin and
Derby
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15 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
and insert
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17 "An Act relating to professions and occupations;
amending Section 1, Chapter 74, O.S.L. 2009 (59 O.S.
18 Supp. 2009, Section 367.8), which relates to
emergency medication kits; clarifying language;
19 defining term; amending Section 1, Chapter 138,
O.S.L. 2003, as last amended by Section 1, Chapter
20 255, O.S.L. 2009 (59 O.S. Supp. 2009, Section
493.5), which relates to special volunteer license;
21 modifying qualifications; modifying time period for
issuance and renewal of certain license; allowing
22 electronic verification of certain information;
requiring certain written acknowledgement; and
23 declaring an emergency.
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1 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

2 SECTION 1. AMENDATORY Section 1, Chapter 74, O.S.L. 2009
3 (59 O.S. Supp. 2009, Section 367.8), is amended to read as follows:

4 Section 367.8 A. A long-term care pharmacy may maintain
5 controlled dangerous substances in an emergency ~~electronic~~
6 medication kit used at a facility. The controlled dangerous
7 substances may be used only for the emergency medication needs of a
8 resident at the facility. A long-term care pharmacy may maintain
9 drugs in an emergency medication kit for any facility.

10 B. The State Board of Pharmacy shall promulgate rules relating
11 to emergency medication kits, including, but not limited to:

12 1. The amount and type of controlled dangerous substances that
13 may be maintained in an emergency medication kit;

14 2. Procedures regarding the use of drugs from an emergency
15 medication kit;

16 3. Recordkeeping requirements; and

17 4. Security requirements.

18 C. As used in this section:

19 1. "Facility" means a facility as defined by the Nursing Home
20 Care Act or an assisted living center as defined by the Continuum of
21 Care and Assisted Living Act; and

22 2. "Long-term care pharmacy" means a licensed pharmacy ~~which is~~
23 ~~not open to the general public and~~ which primarily provides pharmacy
24 services to ~~institutions~~ a facility.

1 SECTION 2. AMENDATORY Section 1, Chapter 138, O.S.L.
2 2003, as last amended by Section 1, Chapter 255, O.S.L. 2009 (59
3 O.S. Supp. 2009, Section 493.5), is amended to read as follows:

4 Section 493.5 A. 1. There is established a special volunteer
5 license for eligible volunteers from a medically related field who
6 are retired from active practice or actively licensed in another
7 state and practicing in that state and wish to donate their
8 expertise for the care and treatment of indigent and needy persons
9 of this state.

10 2. For purposes of this section:

11 a. "eligible volunteer" means a physician, physician
12 assistant, nurse, dentist, optometrist or pharmacist,
13 and

14 b. "nurse" means an advanced practice nurse, advanced
15 registered nurse practitioner, registered nurse, or
16 licensed practical nurse.

17 3. The special volunteer license shall be:

18 a. issued by the State Board of Medical Licensure and
19 Supervision to eligible physicians and physician
20 assistants, by the Board of Osteopathic Examiners to
21 eligible physicians, by the Oklahoma Board of Nursing
22 to eligible nurses, the Board of Dentistry to eligible
23 dentists, the Board of Examiners in Optometry to

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1 eligible optometrists, and by the Board of Pharmacy to
2 eligible pharmacists,

3 b. issued without the payment of an application fee,
4 license fee or renewal fee,

5 c. issued or renewed without any continuing education
6 requirements in this state,

7 d. issued for ~~a fiscal year or part thereof~~ a period of
8 time to be determined by the applicable board, and

9 e. renewable ~~annually~~ upon approval of the applicable
10 Board.

11 B. An eligible volunteer shall meet the following requirements
12 before obtaining a special volunteer license:

13 1. Completion of a special volunteer license application,
14 including, as applicable, documentation of:

15 a. the medical school graduation of the physician,

16 b. the completion of a physician assistant program by a
17 physician assistant,

18 c. the completion of the basic professional curricula of
19 a school of nursing by the nurse,

20 d. the dental school graduation of the dentist,

21 e. the optometry school graduation of the optometrist, or

22 f. the school or college of pharmacy graduation of a
23 pharmacist, and

24 g. the relevant practice history of the applicant;

1 2. Documentation or electronic verification that the eligible
2 volunteer has been previously issued a full and unrestricted license
3 to practice in Oklahoma or in another state of the United States and
4 written acknowledgment that he or she has never been the subject of
5 any professional disciplinary action in any jurisdiction;

6 3. ~~Acknowledgement and documentation~~ Written acknowledgement
7 that the practice of the eligible volunteer under the special
8 volunteer license will be exclusively and totally devoted to
9 providing care to needy and indigent persons in Oklahoma or to
10 providing care under the Oklahoma Medical Reserve Corps; and

11 4. ~~Acknowledgement and documentation~~ Written acknowledgement
12 that the eligible volunteer shall not receive or have the
13 expectation to receive any payment or compensation, either direct or
14 indirect, for any services rendered in this state under the special
15 volunteer license. The only exception to the indirect compensation
16 provision is for those out-of-state physicians, physician
17 assistants, nurses, dentists, optometrists or pharmacists that
18 participate in the free care given by means of Telemedicine through
19 the Shriners Hospitals for Children national network.

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

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1 Passed the House of Representatives the 7th day of April, 2010.

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4 Presiding Officer of the House of
Representatives

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6 Passed the Senate the ____ day of _____, 2010.

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9 Presiding Officer of the Senate