

1 ENGROSSED HOUSE  
2 BILL NO. 1535

By: Holland and Moore of the  
House

3 and

4 Barrington of the Senate

5  
6  
7 ( public health and safety - Oklahoma Health Care

8 Authority - codification -

9 effective date )

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

13 SECTION 1. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 5025.1 of Title 63, unless there  
15 is created a duplication in numbering, reads as follows:

16 A. The Oklahoma Health Care Authority shall study the use of  
17 federal and state funding to retrofit nursing and specialized  
18 facilities, as those terms are defined in Section 1-1902 of Title 63  
19 of the Oklahoma Statutes, for portable generators to be utilized  
20 during emergency situations.

21 B. The Authority shall submit a funding plan to the Governor  
22 and the Legislature by September 30, 2010, that provides for  
23 incentives for nursing and specialized facilities to purchase or  
24 retrofit generators for use during emergency situations. Facilities

1 that have purchased or made improvements for emergency power  
2 capabilities within the previous eight (8) years shall be included  
3 in any incentive program.

4 SECTION 2. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 1-843 of Title 63, unless there  
6 is created a duplication in numbering, reads as follows:

7 Nursing and specialized facilities shall be immune from  
8 liability for civil damages on the basis of any act or omission when  
9 providing assistance to individuals seeking shelter during times of  
10 natural and manmade disasters, including but not limited to extended  
11 heat spells, electrical blackouts, tornados, and ice storms if:

- 12 1. The facility was acting in good faith; and
- 13 2. The acts or omissions were not caused from gross, willful,  
14 or wanton acts of negligence.

15 SECTION 3. This act shall become effective November 1, 2009.

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1 Passed the House of Representatives the 23rd day of February,  
2 2009.

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5 Presiding Officer of the House of  
6 Representatives

7 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2009.

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10 Presiding Officer of the Senate

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