

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1987

By: Morrissette

4
5
6 AS INTRODUCED

7 An Act relating to public health and safety; amending
8 63 O.S. 1-705, which relates to hospitals; requiring
9 the State Department of Health to promulgate rules
10 requiring hospitals to retain certain records;
11 specifying records; specifying minimum time for
12 retention; providing for certain verification;
13 providing for violation; and providing an effective
14 date.

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

16 SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-705, is
17 amended to read as follows:

18 Section 1-705. A. The State Board of Health, upon
19 recommendation of the State Commissioner of Health and with the
20 advice of the Oklahoma Hospital Advisory Council hereinafter
21 provided for, shall promulgate rules and standards for the
22 construction and operation of hospitals, for which licenses are
23 required by the terms of this article, to provide for the proper
24 care of patients. The promulgation of rules shall be subject to and
be governed by the provisions of the Administrative Procedures Act.

1 B. Every hospital shall be periodically inspected by an
2 authorized representative of the Commissioner. Reports of such
3 inspections shall be on forms prescribed by the Commissioner, who
4 shall, after receipt of such reports, take such action as deemed
5 necessary by the Commission to have corrected any deficiencies or
6 violations of the rules and standards of the Board shown in such
7 reports.

8 C. Hospitals licensed pursuant to the provisions of this
9 article shall not be exempt from being inspected or licensed under
10 laws relating to hotels, restaurants, lodging houses, boarding
11 houses and places of refreshment.

12 D. 1. Every hospital that offers or provides inpatient
13 psychiatric or chemical dependency treatment services to persons
14 eighteen (18) years of age or younger shall offer, provide or
15 otherwise make available community-based programs and services and
16 may make such programs and services available directly, through
17 contract, or other appropriate means as determined by the State
18 Department of Health.

19 2. For the purposes of this subsection the term
20 "community-based services" shall have the same meaning as such term
21 is defined by Section 7001-1.3 of Title 10 of the Oklahoma Statutes.

22 E. The State Board of Health shall promulgate rules directing
23 hospitals to maintain records of every birth that occurs in the
24 hospital including a footprint, palmprint, or a fingerprint of the

1 child. Hospitals shall maintain these records for a minimum of
2 fifty (50) years and upon request by the State Department of Health,
3 shall verify whether or not the hospital has a record of the birth
4 of a child. A violation of this provision shall warrant the
5 suspension or revocation of a license.

6 SECTION 2. This act shall become effective November 1, 2009

7
8 52-1-6105 SAB 01/11/09

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24