

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 2266

By: Cox

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7 COMMITTEE SUBSTITUTE

8 An Act relating to public health and safety:
9 creating the Public Health Delivery Act; defining
10 certain terms; authorizing registered nurses to use
11 certain protocols when performing duties on behalf
12 of certain entities; requiring State Department of
13 Health to have designated Medical Director
14 responsible for protocols; requiring Department to
15 promulgate certain policies and procedures;
16 permitting medical algorithms to be utilized;
17 permitting registered nurse to dispense and
18 recommend nonprescription medications; permitting
19 registered nurse to orally submit prescription
20 prescribed by advanced practice registered nurse;
21 providing for certain interpretation; providing for
22 inseverability; providing for codification; and
23 declaring an emergency.
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18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1-290 of Title 63, unless there
21 is created a duplication in numbering, reads as follows:

22 This act shall be known as the "Public Health Delivery Act".
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1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-290.1 of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 As used in the Public Health Delivery Act:

5 1. "Public health services" means services provided by city-
6 county health departments, county health departments, and the State
7 Department of Health pertaining to chronic disease screening,
8 immunizations, maternal and child health services, prevention and
9 control of communicable, contagious or infectious diseases, and
10 services in cooperation with the federal government or any
11 department or agency thereof, and with other states, on matters
12 pertaining to public health; and

13 2. "Physician-approved protocol" means a protocol such as
14 standing orders that describe the parameters of specified situations
15 under which a registered nurse may act to deliver public health
16 services for a client who is presenting with symptoms or needs
17 addressed in the protocol.

18 SECTION 3. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1-290.2 of Title 63, unless
20 there is created a duplication in numbering, reads as follows:

21 A. Registered nurses are authorized to use physician-approved
22 protocols to provide public health services when performing duties
23 as an employee or as a contractor, as defined in Section 803 of
24 Title 18 of the Oklahoma Statutes, on behalf of the city-county

1 health departments, county health departments, and the State
2 Department of Health.

3 B. The Department shall have a designated Medical Director
4 responsible for maintaining the protocols to reflect the current
5 standard of care. The physician-approved protocols shall be
6 reviewed annually and updated as needed. Physician-approved
7 protocols shall be approved through Department policy.

8 C. The establishment of a physician-patient relationship is
9 not necessary for the physician-approved protocol to be implemented
10 by the registered nurse when providing public health services on
11 behalf of a city-county health department, county health department
12 or the Department.

13 D. The State Department of Health shall promulgate and
14 implement policies and procedures to ensure the registered nurse has
15 proper training, education and supervision prior to and during the
16 provision of public health services.

17 E. Medical algorithms may be utilized or referenced in the
18 physician-approved protocols to assist in providing the public
19 health services.

20 F. The registered nurse may dispense prepackaged
21 nonprescription medications and recommend nonprescription
22 medications pursuant to the physician-approved protocols.

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1 G. A registered nurse may orally submit a prescription
2 prescribed by an advanced practice registered nurse with
3 prescriptive authority to a pharmacy of the patient's choosing.

4 SECTION 4. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 1-290.3 of Title 63, unless
6 there is created a duplication in numbering, reads as follows:

7 Nothing in the Public Health Delivery Act shall be construed as
8 changing the requirements of Sections 1-729a, 1-731 or 1-740.2 of
9 Title 63 of the Oklahoma Statutes. The section is inseverable from
10 Sections 1, 2 and 3 of this act.

11 SECTION 5. 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.

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