

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2266

By: Cox of the House

and

David of the Senate

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10 COMMITTEE SUBSTITUTE

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

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

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

4 This act shall be known as the "Public Health Delivery Act".

5 SECTION 2. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 1-290.1 of Title 63, unless
7 there is created a duplication in numbering, reads as follows:

8 As used in the Public Health Delivery Act:

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

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

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

4 A. Registered nurses are authorized to use physician-approved
5 protocols to provide public health services when performing duties
6 as an employee or as a contractor, as defined in Section 803 of
7 Title 18 of the Oklahoma Statutes, on behalf of the city-county
8 health departments, county health departments, and the State
9 Department of Health.

10 B. The Department shall have a designated Medical Director
11 responsible for maintaining the protocols to reflect the current
12 standard of care. The physician-approved protocols shall be
13 reviewed annually and updated as needed. Physician-approved
14 protocols shall be approved through Department policy.

15 C. The establishment of a physician-patient relationship is
16 not necessary for the physician-approved protocol to be implemented
17 by the registered nurse when providing public health services on
18 behalf of a city-county health department, county health department
19 or the Department.

20 D. The State Department of Health shall promulgate and
21 implement policies and procedures to ensure the registered nurse has
22 proper training, education and supervision prior to and during the
23 provision of public health services.

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1 E. Medical algorithms may be utilized or referenced in the
2 physician-approved protocols to assist in providing the public
3 health services.

4 F. The registered nurse may dispense prepackaged
5 nonprescription medications and recommend nonprescription
6 medications pursuant to the physician-approved protocols.

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

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

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

17 SECTION 5. It being immediately necessary for the preservation
18 of the public peace, health and safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

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22 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/15/2012 -
23 DO PASS, As Amended and Coauthored.