

1 **SENATE FLOOR VERSION**

2 March 27, 2012

3 As Amended

4 ENGROSSED HOUSE

5 BILL NO. 2266

6 By: Cox of the House

7 and

8 David of the Senate

9 **[public health and safety - Public Health Delivery**
10 **Act - prescription protocols - codification -**
11 **emergency]**

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 1-290 of Title 63, unless there
15 is created a duplication in numbering, reads as follows:

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

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

20 As used in the Public Health Delivery Act:

21 1. "Public health services" means services provided by city-
22 county health departments, county health departments, and the State
23 Department of Health pertaining to chronic disease screening,
24 immunizations, maternal and child health services, prevention and

1 control of communicable, contagious or infectious diseases, and
2 services in cooperation with the federal government or any
3 department or agency thereof, and with other states, on matters
4 pertaining to public health; and

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

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

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

19 B. The Department shall have a designated Medical Director
20 responsible for maintaining the protocols to reflect the current
21 standard of care. Protocols shall be consistent with published
22 clinical practice guidelines established or endorsed by nationally
23 recognized professional medical organizations, societies,
24 associations and federal agencies. The physician-approved protocols

1 shall be reviewed annually and updated as needed. Physician-
2 approved protocols shall be approved through Department policy.

3 C. The establishment of a physician-patient relationship is
4 not necessary for the physician-approved protocol to be implemented
5 by the registered nurse when providing public health services on
6 behalf of a city-county health department, county health department
7 or the Department.

8 D. The State Department of Health shall promulgate and
9 implement policies and procedures to ensure the registered nurse has
10 proper training, education and supervision prior to and during the
11 provision of public health services.

12 E. Medical algorithms may be utilized or referenced in the
13 physician-approved protocols to assist in providing the public
14 health services.

15 F. The registered nurse may dispense prepackaged
16 nonprescription medications and recommend nonprescription
17 medications pursuant to the physician-approved protocols.

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

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

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

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

9 COMMITTEE REPORT BY: COMMITTEE ON HEALTH & HUMAN SERVICES, dated
10 3-26-12 - DO PASS, As Amended.

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