

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 572

By: Ford

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5
6 AS INTRODUCED

7 An Act relating to home care services in violation of
8 the Home Care Act; prohibiting certain referrals;
9 providing for certain criminal penalties; requiring
10 certain notification; providing for codification; and
11 providing an effective date.

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 1-1967b of Title 63, unless
15 there is created a duplication in numbering, reads as follows:

16 A. Licensed health care practitioners and other individuals
17 working in a professional capacity shall only make referrals for
18 home care agencies that are licensed pursuant to the Home Care Act
19 when making a referral for home care services:

20 B. Any person who violates the provisions of subsection A of
21 this section shall be guilty of a misdemeanor punishable by
22 imprisonment in the county jail not exceeding one (1) year, or by a
23 fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both
24 such fine and imprisonment.

1 C. Any person who owns a business providing assistance or care
2 in a home that is not licensed pursuant to the Home Care Act shall
3 be guilty of a misdemeanor punishable by imprisonment in the county
4 jail not exceeding one (1) year, or by a fine not exceeding Twenty-
5 five Thousand Dollars (\$25,000.00), or by both such fine and
6 imprisonment.

7 D. The State Department of Health shall notify all applicable
8 federal agencies of any unlicensed home health agency whose owner is
9 found guilty of a misdemeanor pursuant to subsection C of this
10 section for investigation into violations of federal law.

11 SECTION 2. This act shall become effective November 1, 2011.

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