

An Act

ENROLLED HOUSE
BILL NO. 2266

By: Cox of the House

and

David of the Senate

An Act relating to public health and safety; creating the Public Health Delivery Act; defining certain terms; authorizing registered nurses to use certain protocols when performing duties on behalf of certain entities; requiring State Department of Health to have designated Medical Director responsible for protocols; providing requirements for protocols; requiring Department to promulgate certain policies and procedures; permitting medical algorithms to be utilized; permitting registered nurse to dispense and recommend nonprescription medications; permitting registered nurse to orally submit prescription prescribed by advanced practice registered nurse; providing for codification; and declaring an emergency.

SUBJECT: Public Health Delivery Act

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

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

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

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

As used in the Public Health Delivery Act:

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

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

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

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

B. The Department shall have a designated Medical Director responsible for maintaining the protocols to reflect the current standard of care. Protocols shall be consistent with published clinical practice guidelines established or endorsed by nationally recognized professional medical organizations, societies, associations and federal agencies. The physician-approved protocols shall be reviewed annually and updated as needed. Physician-approved protocols shall be approved through Department policy.

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

D. The State Department of Health shall promulgate and implement policies and procedures to ensure the registered nurse has

proper training, education and supervision prior to and during the provision of public health services.

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

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

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

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

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

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

Passed the House of Representatives the 12th day of March, 2012.

Presiding Officer of the House of
Representatives

Passed the Senate the 25th day of April, 2012.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this _____
day of _____, 20____,
at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma the _____ day of
_____, 20____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____
_____ day of _____, 20____,
at _____ o'clock _____ M.

By: _____