HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

HOUSE BILL 2169 By: Echols

AS INTRODUCED

An Act relating to public health and safety; authorizing State Board of Health to certify hospice administrators; authorizing Board to promulgate certain rules; requiring hospice administrators to complete certain training after certain date; providing for certain penalty; requiring certain fees; providing for codification; and providing an effective date.

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 1-860.17 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. 1. The State Board of Health shall have authority to determine the qualifications, skill and fitness of any person employed to serve as a hospice administrator. For purposes of this section, "hospice administrator" means a person who operates, manages, or supervises, or is in charge of a hospice program as defined in Section 1-860.2 of Title 63 of the Oklahoma Statutes.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

The State Board of Health in promulgating rules pursuant to this section may consider advice and comments from representatives of hospice programs, hospice administrators and representatives of statewide organizations for hospice clients.

2. The State Board of Health shall develop standards which shall be met by individuals in order to receive certification as a hospice administrator. Standards shall be designed to ensure that hospice administrators will be individuals who are of good character and are suitable, and who, by training or experience, are qualified to serve as hospice administrators.

B. The State Department of Health, pursuant to rules promulgated by the Board, shall:

1. Develop and apply appropriate techniques, including examinations and investigations, for determining whether an individual meets such standards as established in paragraph 2 of subsection A of this section;

2. Certify individuals determined, after the application of such techniques, to meet such standards, and revoke or suspend certification previously issued by the Department in any case where the individual holding any such certification is determined substantially to have failed to conform to the requirements of such standards;

3. Establish and carry out procedures designed to ensure that individuals certified as hospice administrators will, during any

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

period that they serve as such, comply with the requirements of such standards; and

4. Receive, investigate, and take appropriate action with respect to any charge or complaint filed with the Department to the effect that any individual certified as a hospice administrator has failed to comply with the requirements of such standards.

C. 1. In order to further ensure minimum standards for certification, the Board shall require a hospice administrator to receive education or training which shall include, but not be limited to, training in administration, supervision, fiscal management, ethics, community relations, public information and human relations concerning the issues associated with the operation of hospice programs. Any person employed as a hospice administrator after November 1, 2013, shall have completed the education or training specified by this subsection.

2. On and after August 1, 2014, proof of successful completion of the education, training or continuing education, as applicable, for the hospice administrator shall be required prior to issuance or renewal of a certificate pursuant to the provisions of this section.

D. It shall be unlawful and a misdemeanor for any person to act or serve in the capacity of a hospice administrator unless such individual is the holder of a certification as a hospice administrator issued in accordance with the provisions of this section.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

E. Each person certified as a hospice administrator pursuant to the provisions of this section shall be required to pay an annual certification fee in an amount to be determined by the State Board of Health not to exceed Two Hundred Dollars ($200.00). Each such certificate shall expire on July 31 following its issuance and shall be renewable for twelve (12) months beginning August 1, upon payment of the annual certification fee.

F. In addition to the annual certification fee, the State Board of Health may impose fees for training or education programs conducted or approved by the Board.

G. All revenues collected as a result of fees authorized in this section and imposed by the Board shall be deposited into the Hospice Revolving Fund as set forth in Section 1-860.16 of Title 63 of the Oklahoma Statutes.

SECTION 2. This act shall become effective November 1, 2013.

COMMITTEE REPORT BY: COMMITTEE ON LONG-TERM CARE AND SENIOR SERVICES, dated 02/13/2013 - DO PASS.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.