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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 3160 of Title 63, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Medical Treatment Laws Information Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3161 of Title 63, unless there is created a duplication in numbering, reads as follows:

As used in the Medical Treatment Laws Information Act:

1. "Associated with the inpatient health care services entity" means, with regard to a particular inpatient health care services entity, that the health care provider is an employee or agent of the entity, that the health care provider has privileges to provide health care services to patients in the entity, or that the health care provider in fact provides health care services to patients in the entity. For purposes of this definition, provision of health care services to patients in the entity shall be deemed to include provision of health care services to patients in an emergency room

1 operated by the entity, regardless of whether those patients are
2 admitted as inpatients;

3 2. "Health care provider" means a person who is licensed,
4 certified, or otherwise authorized by the laws of this state as a
5 physician, physician assistant, certified nurse practitioner,
6 advanced practice registered nurse (including one with a certified
7 specialty), registered nurse or licensed practical nurse, but does
8 not include a nurse midwife;

9 3. "Health care services" means any services provided by a
10 health care provider, or by an individual working for or under the
11 supervision of a health care provider, that relate to the diagnosis,
12 assessment, prevention, treatment or care of any human illness,
13 disease, injury or condition;

14 4. "Inpatient health care services entities" means those
15 hospitals defined in paragraphs 2, 3 and 5 of Section 1-701 of Title
16 63 of the Oklahoma Statutes, a nursing facility as defined in
17 paragraph 10 of Section 1-1902 of Title 63 of the Oklahoma Statutes,
18 a specialized facility as defined in paragraph 11 of Section 1-1902
19 of Title 63 of the Oklahoma Statutes, and those long-term care
20 facilities described in subparagraphs e and f of paragraph 1 of
21 Section 1-1945 of Title 63 of the Oklahoma Statutes; and

22 5. "Other defined officials" means, with regard to a particular
23 health care services entity, to the extent such officials exist, the
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1 members of the board of directors, the administrator or chief
2 executive officer, and the general counsel, by whatever titles those
3 serving these functions may be called.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 3162 of Title 63, unless there
6 is created a duplication in numbering, reads as follows:

7 A. The Board of Medical Licensure and Supervision shall
8 prepare, and from time to time amend, a brochure to inform health
9 care providers of their responsibilities and rights under the
10 specified sections of the Hydration and Nutrition for Incompetent
11 Patients Act, Sections 3080.2 through 3080.5 of Title 63 of the
12 Oklahoma Statutes, the Nondiscrimination in Treatment Act, Sections
13 3090.2 through 3090.3 of Title 63 of the Oklahoma Statutes, the
14 Oklahoma Advance Directive Act, Section 3101.9 of Title 63 of the
15 Oklahoma Statutes, the Oklahoma Do-Not-Resuscitate Act, 3131.4 of
16 Title 63 of the Oklahoma Statutes and the Assisted Suicide
17 Prevention Act, Sections 3141.3 through 3141.4 of Title 63 of the
18 Oklahoma Statutes. The brochure shall include contact information
19 for officials to whom alleged violations of those provisions may be
20 reported. The Board shall prepare, from time to time revise, and
21 make available on the Board's website an online presentation which
22 shall be a minimum of one hour in length, consisting of training on
23 the responsibilities and rights of health care providers covered by

1 the current brochure. The Board shall provide for means to verify
2 that a viewer indeed observed the full online presentation, such as
3 a quiz on its content to be answered at the end of the presentation
4 or other methods commonly employed in association with continuing
5 medical education. The Board shall provide to each viewer who
6 complies with such verification a dated certification that the
7 viewer completed the online training. The Board shall make the
8 current brochure and online presentation available on the Board's
9 website and shall inform all Oklahoma inpatient health care services
10 entities of their availability and how to access them online on the
11 Board's website.

12 B. Inpatient health care services entities shall ensure that
13 all health care providers and other defined officials associated
14 with the inpatient health care services entity are provided with a
15 copy of the current brochure and sign a certification that they have
16 read the brochure and are familiar with their responsibilities and
17 rights as set forth therein:

18 1. Within fourteen (14) days of beginning employment with, of
19 beginning service on the board of directors of or of beginning to
20 provide services to patients at the entity; and

21 2. At least once during each calendar year.

22 C. At least once during each consecutive two-calendar-year
23 period all health care providers and other defined officials

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1 associated with an inpatient health care services entity shall
2 observe the online presentation described in subsection A of this
3 section. The time required for observation of this presentation
4 shall count as part of, rather than being in addition to, continuing
5 education otherwise required for licensed health care providers.
6 Inpatient health care services entities shall ensure that all health
7 care providers and other defined officials associated with the
8 inpatient health care services entity provide the entity with a copy
9 of each dated certification by the Board verifying that the provider
10 or official observed the online presentation described in subsection
11 A of this section in compliance with this requirement, and shall
12 maintain such copies on file for a minimum of four (4) calendar
13 years following the calendar year to which they apply. The files of
14 such copies shall be subject to inspection under Sections 1-705(B),
15 1-829, and 1-1911 of Title 63 of the Oklahoma Statutes.

16 D. The provisions of subsection B of this section shall be
17 effective at the beginning of the second calendar month after the
18 month in which the State Board of Medical Licensure and Supervision
19 publishes the initial brochure required by this section on its
20 website. The provisions of subsection C of this section shall be
21 effective beginning with calendar year 2015.

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1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3163 of Title 63, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The State Board of Medical Licensure and Supervision shall
5 prepare, and from time to time amend, a disclosure statement
6 designed to inform patients and patients' families of their rights
7 under the specified sections of the Hydration and Nutrition for
8 Incompetent Patients Act, Sections 3080.2 through 3080.5 of Title 63
9 of the Oklahoma Statutes, the Nondiscrimination in Treatment Act,
10 Sections 3090.2 through 3090.3 of Title 63 of the Oklahoma Statutes,
11 the Oklahoma Advance Directive Act, Section 3101.9 of Title 63 of
12 the Oklahoma Statutes and the Oklahoma Do-Not-Resuscitate Act,
13 Section 3131.4 of Title 63 of the Oklahoma Statutes. The disclosure
14 statement shall include contact information for officials to whom
15 alleged violations of those provisions may be reported. The State
16 Department of Health shall make the current disclosure statement
17 available on the Department's website and shall inform the entities
18 specified in subsection B of this section of the availability of the
19 disclosure statement and how to obtain the disclosure statement.

20 B. Any entity to which the requirements of the federal Patient
21 Self-Determination Act under 42 U.S.C., Section 1395cc(f) or 42
22 U.S.C., Section 1396a(w) apply shall, at the time of providing the
23 written information required by 42 U.S.C., Section

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

1 1395cc(f) (1) (A) (i) or 42 U.S.C., Section 1396a(w) (1) (A) (i), include
2 a copy of the disclosure statement described in subsection A of this
3 section.

4 C. The provisions of subsection B of this section shall be
5 effective thirty (30) days after the date on which the State
6 Department of Health publishes the initial disclosure statement
7 required by this section.

8 SECTION 5. NEW LAW A new section of law not to be
9 codified in the Oklahoma Statutes reads as follows:

10 The Board of Medical Licensure and Supervision shall prepare the
11 initial brochure and initial online presentation required by Section
12 3 of this act and the initial disclosure statement required by
13 Section 4 of this act within sixty (60) days of the act's effective
14 date. The State Department of Health shall publish the initial
15 disclosure statement, making it available on the Department's
16 website and making copies of it available to the entities specified
17 in subsection B of section 4 of this act, within sixty (60) days of
18 the date on which the initial disclosure statement is transmitted to
19 the Department by the Board.

20 SECTION 6. This act shall become effective November 1, 2014.
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1 Passed the Senate the 10th day of March, 2014.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2014.

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8 _____
9 Presiding Officer of the House

10 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 04/09/2014 -
11 DO PASS, As Amended and Coauthored.