

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 2169

By: Echols

4
5
6 AS INTRODUCED

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

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 1-860.17 of Title 63, unless
17 there is created a duplication in numbering, reads as follows:

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

1 section may consider advice and comments from representatives of
2 hospice programs, hospice administrators and representatives of
3 statewide organizations for hospice clients.

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

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

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

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

22 3. Establish and carry out procedures designed to ensure that
23 individuals certified as hospice administrators will, during any
24

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

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

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

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

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

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

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

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

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

16

17 54-1-5554 AM 01/16/13

18

19

20

21

22

23

24