

1 STATE OF OKLAHOMA

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

3 SENATE BILL 130

By: Anderson

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5  
6 AS INTRODUCED

7 An Act relating to nursing; amending 59 O.S. 2011,  
8 Section 567.4, which relates to the Oklahoma Board of  
9 Nursing; clarifying language; and providing an  
10 effective date.

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

12 SECTION 1. AMENDATORY 59 O.S. 2011, Section 567.4, is  
13 amended to read as follows:

14 Section 567.4. A. The Oklahoma Board of Nursing is hereby  
15 established in the State of Oklahoma. The Board shall consist of  
16 eleven (11) members who shall be citizens of the United States of  
17 America, and residents of Oklahoma, for at least the previous three  
18 (3) years~~-,~~ as follows:

19 1. Six of the members shall be registered nurses, in good  
20 standing under the provisions of the Oklahoma Nursing Practice Act,  
21 currently engaged in the practice of nursing as a registered nurse  
22 and shall have had no less than five (5) years of experience as a  
23 registered nurse. At least two of the registered nurses shall be  
24 from the field of nursing education, actively associated with a

1 recognized school of nursing in Oklahoma, and who hold an  
2 organizational role of administration/management and who are  
3 accountable for strategic, operational and/or performance outcomes.  
4 At least two of the registered nurses who hold an organizational  
5 role of administration/management and who are accountable for  
6 strategic, operational and/or performance outcomes shall represent  
7 nursing service. At least one of the registered nurses shall be  
8 currently engaged in the practice of nursing as an advanced practice  
9 nurse-;

10 2. Three of the members shall be licensed practical nurses in  
11 good standing under the provisions of the Oklahoma Nursing Practice  
12 Act and currently engaged in the practice of practical nursing as a  
13 licensed practical nurse and shall have had no less than five (5)  
14 years of experience as a licensed practical nurse. One of the  
15 licensed nurses must be employed in the field of long-term care.  
16 One of the licensed nurses shall be employed in the area of acute  
17 care-; and

18 3. Two members shall represent the public and shall be eligible  
19 voters of this state, knowledgeable in consumer health concerns, and  
20 shall neither be nor ever have been associated with the provision of  
21 health care, nor be enrolled in any health-related educational  
22 program. The public members shall be appointed by the Governor to  
23 serve coterminously with the Governor.

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1 At least one registered nurse Board member, one licensed  
2 practical nurse Board member and one public Board member shall be  
3 appointed from a county with a population of less than forty  
4 thousand (40,000).

5 B. For the purpose of nominating, appointing or reappointing  
6 members to the Board, this state shall be divided into eight  
7 geographical districts, consisting of counties within the districts  
8 as follows:

9 District No. 1 Cimarron, Texas, Beaver, Harper, Woods, Alfalfa,  
10 Grant, Kay, Ellis, Woodward, Major, Garfield,  
11 Noble, Dewey, Blaine, Kingfisher and Logan;

12 District No. 2 Roger Mills, Custer, Beckham, Washita, Caddo,  
13 Greer, Kiowa, Harmon, Jackson, Comanche, Tillman  
14 and Cotton;

15 District No. 3 Canadian, Grady, McClain, Garvin, Stephens,  
16 Murray, Jefferson, Carter and Love;

17 District No. 4 Oklahoma;

18 District No. 5 Lincoln, Okfuskee, Cleveland, Pottawatomie,  
19 Seminole, Hughes, Pontotoc, Coal, Johnston,  
20 Marshall and Bryan;

21 District No. 6 Creek and Tulsa;

22 District No. 7 Osage, Washington, Nowata, Craig, Ottawa,  
23 Pawnee, Payne, Rogers, Mayes and Delaware; and  
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1 District No. 8 Wagoner, Cherokee, Adair, Okmulgee, Muskogee,  
2 Sequoyah, McIntosh, Haskell, Leflore, Pittsburg,  
3 Latimer, Atoka, Pushmataha, McCurtain and  
4 Choctaw.

5 Not more than one registered nurse and one licensed practical  
6 nurse and one public member shall be appointed from any one  
7 geographical district.

8 C. The Governor shall appoint the Registered Nurse Board  
9 members from a list of names submitted by the Oklahoma Nurses  
10 Association and Oklahoma chapters of nationally recognized  
11 registered nurse organizations. The Governor shall appoint the  
12 licensed practical nurse Board members from a list of names  
13 submitted by the Oklahoma State Association of LPN's and Oklahoma  
14 chapters of nationally recognized practical nurse organizations.  
15 Individuals who are members of the Oklahoma Board of Nursing prior  
16 to the effective date of this act shall be allowed to fulfill their  
17 terms and be eligible for reappointment.

18 D. The Registered Nurse and Licensed Practical Nurse members  
19 shall be appointed for terms of five (5) years. Upon the death,  
20 resignation, or removal of any member, a list from the  
21 aforementioned organizations shall be submitted to the Governor who  
22 shall appoint a member to fill the vacancy.

1           1. In addition to the grounds for removal by the Governor of  
2 members appointed to the Board provided in Section 2 of Title 74 of  
3 the Oklahoma Statutes, it is a ground for removal if a member:

- 4           a. does not have at the time of appointment the  
5                 qualifications required by subsection A of this  
6                 section,
- 7           b. is not employed in nursing for a period of twelve (12)  
8                 consecutive months during the term for which the  
9                 member was appointed,
- 10          c. is absent from more than half of the regularly  
11                 scheduled Board meetings that the member is eligible  
12                 to attend during a calendar year, unless the absence  
13                 is excused by a majority vote of the Board, or
- 14          d. cannot discharge the duties as a Board member for a  
15                 substantial portion of the term for which the member  
16                 is appointed because of illness or disability.

17          2. The validity of an action of the Board is not affected by  
18 the fact that it is taken when a ground for removal of a Board  
19 member exists.

20          3. If the president of the Board has knowledge that a potential  
21 ground for removal exists, the president shall then notify the  
22 Governor that a potential ground for removal exists.

1 E. A quorum shall be a majority of the Board which must include  
2 at least three (3) registered nurses and one (1) licensed practical  
3 nurse.

4 F. The members of the Board shall annually elect from their  
5 number a president, vice-president and a secretary who shall also be  
6 the treasurer, and other such officers as necessary to conduct the  
7 business of the Board. It shall hold six (6) regular business  
8 meetings during each calendar year. Special meetings may be called  
9 by the president or secretary with five (5) days' notice to each  
10 member of the Board. The Board shall have a seal; it shall make and  
11 adopt all necessary rules not inconsistent with the laws of this  
12 state, the United States, or with the Oklahoma Nursing Practice Act;  
13 and it shall perform the duties and transact the business required  
14 under the provisions of the act. The Board shall cause to be kept a  
15 record of all meetings for the Board and give notice of all meetings  
16 in accordance with the Administrative Procedures Act and the Open  
17 Meetings Act. A list of all persons duly licensed and qualified  
18 under this act shall be maintained by the Board. Each member of the  
19 Board shall receive, in addition to actual and necessary travel  
20 expenses as provided in the State Travel Reimbursement Act,  
21 compensation of One Hundred Dollars (\$100.00) for each regular  
22 scheduled monthly meeting attended, not to exceed more than six (6)  
23 meetings per year. All monies received by the Board shall be held  
24 by the treasurer of the Board for meeting the expenses of the Board

1 and for the promotion of nursing education, to employ an attorney to  
2 assist the Board and other state and county officials in carrying  
3 out the provisions of the Oklahoma Nursing Practice Act, and such  
4 other purposes which the Board may determine, and shall be disbursed  
5 as directed by the Board. The Board is authorized to adopt and  
6 revise rules, not inconsistent with the provisions of the Oklahoma  
7 Nursing Practice Act, as may be necessary to enable it to carry into  
8 effect the provisions of the act, including rules establishing fees,  
9 charges and reimbursement costs. The Board shall appoint and employ  
10 a qualified person, who shall be a registered nurse, to serve as  
11 Executive Director, and shall fix the compensation, require a  
12 satisfactory bond, and define the duties of the Executive Director.

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

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