

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 SENATE BILL 1534

By: Johnson (Constance)

4
5
6 AS INTRODUCED

7 An Act relating to disease screenings; creating the
8 Hepatitis C Adult Screening Act; providing short
9 title; providing definitions; requiring health care
10 practitioners to offer certain screenings; providing
11 exceptions; requiring provision of certain
information; requiring reporting of information by
the State Commissioner of Health; directing
promulgation of certain rules; providing for
codification; and providing an effective date.

12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1-607 of Title 63, unless there
16 is created a duplication in numbering, reads as follows:

17 This act shall be known and may be cited as the "Hepatitis C
18 Adult Screening Act".

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1-608 of Title 63, unless there
21 is created a duplication in numbering, reads as follows:

22 As used in the Hepatitis C Adult Screening Act:

- 23 1. "Commissioner" means the State Commissioner of Health;
24 2. "Health care practitioner" means:

- a. a physician as defined by Section 492 of Title 59 of the Oklahoma Statutes,
- b. a physician assistant as defined by Section 519.2 of Title 59 of the Oklahoma Statutes, or
- c. any individual licensed to practice nursing as defined by Section 567.3a of Title 59 of the Oklahoma Statutes;

3. "Hepatitis C diagnostic test" means any laboratory test that detects the presence of the hepatitis C virus in the blood and confirms whether an individual has a hepatitis C infection;

4. "Hepatitis C screening test" means any laboratory test that detects the presence of hepatitis C virus antibodies in the blood;

5. "Hospital" means a facility licensed pursuant to the provisions of Section 1-701 et seq. of Title 63 of the Oklahoma Statutes; and

6. "Primary care services" means medical care delivered by a health care practitioner and related to family medicine, geriatrics, general internal medicine, general pediatrics, obstetrics, gynecology, or emergency medicine.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-609 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Every individual born between January 1, 1945, and December 31, 1965, receiving inpatient or outpatient treatment in a hospital

1 or receiving primary care services from a health care practitioner
2 in this state shall be offered a hepatitis C screening test or
3 hepatitis C diagnostic test. The provisions of this section shall
4 not apply if:

5 1. The individual is being treated for a life threatening
6 emergency;

7 2. The individual has been previously offered or has been
8 subject to a hepatitis C screening test or hepatitis C diagnostic
9 test; or

10 3. The individual is physically or mentally incapable of
11 providing informed consent for the performance of a hepatitis C
12 screening test or hepatitis C diagnostic test.

13 B. Individuals receiving test results indicating the presence
14 of hepatitis C infection shall be offered subsequent medical
15 treatment by the health care practitioner or be referred to a health
16 care practitioner for subsequent treatment options to be performed
17 at a later date.

18 C. This section shall not affect the scope or practice of any
19 health care practitioner or diminish any authority, professional
20 duty, or legal obligation of any health care practitioner to offer a
21 hepatitis C screening test or hepatitis C diagnostic test.

22 D. On or before January 1, 2015, the State Commissioner of
23 Health shall evaluate and report on the impact of this act with
24 respect to the number of persons who are screened for hepatitis C

1 and the number of persons who have accessed health care services
2 following a positive test. Such report shall be submitted to the
3 Governor, the Speaker of the House of Representatives, and the
4 President Pro Tempore of the Senate.

5 SECTION 4. The State Board of Health shall promulgate rules as
6 necessary to implement the provisions of this act.

7 SECTION 5. This act shall become effective November 1, 2014.

8

9 54-2-2138 JAM 1/15/2014 10:32:10 AM

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24