

1 STATE OF OKLAHOMA

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

3 SENATE BILL 915

By: Sykes

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5
6 AS INTRODUCED

7 An Act relating to health care; creating the
8 Nondiscrimination in Treatment Act; providing short
9 title; defining terms; prohibiting the denial of
10 life-preserving health care services in certain
11 circumstances; permitting a cause of action for
12 injunctive relief in certain circumstances; providing
13 for codification; and providing an 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 3090.1 of Title 63, unless there
17 is created a duplication in numbering, reads as follows:

18 This act shall be known and may be cited as the
19 "Nondiscrimination in Treatment Act".

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 3090.2 of Title 63, unless there
22 is created a duplication in numbering, reads as follows:

23 As used in the Nondiscrimination in Treatment Act:

24 1. "Health care provider" means a person who is licensed,
certified, or otherwise authorized by the laws of this state to

1 administer health care in the ordinary course of business or
2 practice of a profession;

3 2. "Health care service" means any phase of patient medical
4 care, treatment or procedure, including, but not limited to,
5 therapy, testing, diagnosis or prognosis, prescribing, dispensing or
6 administering any device, drug, or medication, surgery, or any other
7 care or treatment rendered by health care providers; and

8 3. "Life preserving health care service" means a health care
9 service the denial of which, in reasonable medical judgment, will
10 result in or hasten the death of the patient.

11 SECTION 3. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 3090.3 of Title 63, unless there
13 is created a duplication in numbering, reads as follows:

14 A health care provider shall not deny to a patient a life-
15 preserving health care service the provider provides to other
16 patients, the provision of which is directed by the patient or a
17 person authorized to make health care decisions for the patient:

18 1. On the basis of a view that treats extending the life of an
19 elderly, disabled, or terminally ill individual as of lower value
20 than extending the life of an individual who is younger,
21 nondisabled, or not terminally ill; or

22 2. On the basis of disagreement with how the patient or person
23 authorized to make health care decisions for the patient values the
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1 tradeoff between extending the length of the patient's life and the
2 risk of disability.

3 SECTION 4. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 3090.4 of Title 63, unless there
5 is created a duplication in numbering, reads as follows:

6 A cause of action for injunctive relief may be maintained
7 against any health care provider who is reasonably believed to be
8 about to violate, who is in the course of violating, or who has
9 violated the Nondiscrimination in Treatment Act by an affected
10 patient or a person authorized to make health care decisions for the
11 patient.

12 SECTION 5. This act shall become effective November 1, 2013.

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