

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1562 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Elise Hall

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 1562

By: Hall

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to mental health; amending 43A O.S. 2011, Section 4-106, which relates to mechanical restraints; expanding licensed health care providers who may determine if mechanical restraint is required by medical needs of consumer; requiring certain examination after mechanical restraint is applied to consumer after emergency situation arises; and providing an effective date.

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

SECTION 1. AMENDATORY 43A O.S. 2011, Section 4-106, is amended to read as follows:

Section 4-106. A. Mechanical restraints shall not be applied to a consumer unless:

1. It is determined by ~~a~~ an allopathic physician or ~~physician's~~, osteopathic physician, physician assistant or advanced practice registered nurse who is authorized to order restraint by hospital or community-based structured crisis center, as defined by

1 Section 3-317 of this title, policy to be required by the medical
2 needs of the consumer; or

3 2. An emergency situation arises and a mechanical restraint is
4 necessary for the safety of the individual or others. The
5 mechanical restraint may be applied after obtaining a verbal order
6 of a an allopathic physician or physician's, osteopathic physician,
7 physician assistant or advanced practice registered nurse as long as
8 the ~~physician or physician's assistant personally examines the~~
9 consumer receives a face-to-face examination within one (1) hour
10 after the restraint is applied by an allopathic physician,
11 osteopathic physician, physician assistant, advanced practice
12 registered nurse or registered nurse trained in restraint management
13 in accordance with the then-current standards promulgated by the
14 United States Department of Health and Human Services and authorized
15 by hospital policy.

16 B. No mechanical restraint shall be continued for longer than
17 is absolutely necessary under the circumstances. ~~Every~~ Regardless
18 of who orders the restraint, every use of a mechanical restraint,
19 the reasons and length of time, shall be made a part of the clinical
20 record of the consumer under the signature of the attending
21 allopathic physician or osteopathic physician.

22 SECTION 2. This act shall become effective November 1, 2015.
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