

1 ENGROSSED HOUSE
2 BILL NO. 1562

By: Hall of the House

and

Standridge of the Senate

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7 An Act relating to mental health; amending 43A O.S.
8 2011, Section 4-106, which relates to mechanical
9 restraints; expanding licensed health care providers
10 who may determine if mechanical restraint is required
11 by medical needs of consumer; requiring certain
12 examination after mechanical restraint is applied to
13 consumer after emergency situation arises; and
14 providing an effective date.

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

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

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

20 1. It is determined by ~~a~~ an allopathic physician or
21 physician's, osteopathic physician, physician assistant or advanced
22 practice registered nurse who is authorized to order restraint by
23 hospital or community-based structured crisis center, as defined by
24 Section 3-317 of this title, policy to be required by the medical
needs of the consumer; or

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

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

20 SECTION 2. This act shall become effective November 1, 2015.
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1 Passed the House of Representatives the 5th day of March, 2015.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2015.

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9 Presiding Officer of the Senate