

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1562

By: Hall

AS INTRODUCED

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 physician, ~~or~~ physician's assistant, nurse practitioner or advanced practice registered nurse who is responsible for the care of the patient and authorized to order restraint by hospital policy to be required by the medical needs of the consumer; or

2. An emergency situation arises and a mechanical restraint is necessary for the safety of the individual or others. The

1 mechanical restraint may be applied after obtaining a verbal order  
2 of a physician, ~~or physician's assistant,~~ advanced practice  
3 registered nurse or registered nurse as long as the ~~physician or~~  
4 ~~physician's assistant personally examines the consumer~~ receives a  
5 face-to-face examination within one (1) hour after the restraint is  
6 applied by a physician, physician assistant, advanced practice  
7 registered nurse or registered nurse trained in restraint  
8 management.

9 B. No mechanical restraint shall be continued for longer than  
10 is absolutely necessary under the circumstances. Every use of a  
11 mechanical restraint, the reasons and length of time, shall be made  
12 a part of the clinical record of the consumer under the signature of  
13 the physician.

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

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