

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 3231

By: Moore

COMMITTEE SUBSTITUTE

An Act relating to public health and safety; amending 63 O.S. 2011, Section 1-707b, which relates to staff privileges; providing that hospitals and health plans shall not discriminate against physicians who have been awarded certification by certain specialty boards irrespective of recertification status or participation in certain certifications; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-707b, is amended to read as follows:

Section 1-707b. A. The administrator in charge of or the governing board of each hospital licensed by the State Commissioner of Health shall adopt written criteria for use in determining which licensed medical doctors, doctors of osteopathy, doctors of podiatry, and health service psychologists shall be granted professional and/or medical staff privileges by the hospital. A licensed hospital shall not deny an application based solely on the

1 applicant's license, as long as the applicant is licensed to
2 practice:

3 1. Medicine by the State Board of Medical Licensure and
4 Supervision;

5 2. Osteopathy by the State Board of ~~Osteopathy~~ Osteopathic
6 Examiners;

7 3. Podiatry by the State Board of Podiatry; or

8 4. As a health service psychologist by the Oklahoma State Board
9 of Examiners of Psychologists.

10 B. The accordance and delineation of medical staff membership
11 or clinical privileges shall be determined on an individual basis
12 commensurate with an applicant's education, training, experience and
13 demonstrated clinical competence.

14 C. When medical education training and specialty board
15 certification are considerations in the credentialing and
16 recredentialing of physicians, hospitals and health plans shall give
17 equal recognition to those bodies recognized by the federal
18 government for the training and certification of such physicians.
19 Hospitals and health plans shall not discriminate, on the basis of
20 education, against eligible physicians who have:

21 1. Graduated from medical schools and postdoctoral programs
22 approved by either the American Osteopathic Association or the
23 Accreditation Council for Graduate Medical Education; or
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1 2. Been awarded board eligibility or board certification by
2 specialty boards recognized by either the American Osteopathic
3 Association or the American Board of Medical Specialties,
4 irrespective of recertification status or participation in
5 Osteopathic Continuing Certification or Maintenance of
6 Certification.

7 SECTION 2. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 1-707b-1 of Title 63, unless
9 there is create a duplication in numbering, reads as follow:

10 A. Initial certification by either the American Osteopathic
11 Association or the American Board of Medical Specialties shall be
12 considered to be a lifetime certification.

13 B. No physician shall be required to have certification by both
14 the American Osteopathic Association and the American Board of
15 Medical Specialties unless the entity pays for any costs associated
16 with acquiring the additional certification.

17 SECTION 3. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1-707b-2 of Title 63, unless
19 there is created a duplication in numbering, reads as follows:

20 Nothing in this act shall be interpreted to nullify the
21 requirements set forth in the Medical Treatment Laws Information Act
22 pursuant to Section 3160 et seq. of Title 63 of the Oklahoma
23 Statutes.

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-707b-3 of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 A. A single-state-standardized credentialing methodology shall
5 be established by the licensure board of the respective licensure
6 medical degree in which credentialing for all clean file physicians
7 shall be accepted by any insurance carrier doing business within the
8 State of Oklahoma.

9 B. Any clean file physician requesting credentialing and
10 seeking to be contracted by an insurance carrier shall have
11 credentialing completed within ninety (90) days from the point in
12 time in which a physician first notifies the carrier of his or her
13 intent to contract and the point in time where privileging and
14 onboarding are complete.

15 C. The definition of what constitutes a "clean file" shall be
16 determined by the applicable Oklahoma state licensure board after
17 calling for a stakeholders meeting to determine a state standard.

18 SECTION 5. This act shall become effective November 1, 2018.
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