

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 762, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Sykes

Sykes-TEK-FS-Req#1592
3/20/2017 4:57 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

FLOOR SUBSTITUTE

FOR

SENATE BILL NO. 762

By: Sykes of the Senate

and

Ritze of the House

FLOOR SUBSTITUTE

[statutes of limitation - certain actions - repealer
- codification - effective date]

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 18.1 of Title 76, unless there
is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Continuous treatment" shall not include examinations
undertaken at the request of the patient for the sole purpose of
ascertaining the state of the patient's condition;

2. "Health care provider" means any physician or hospital
licensed by this state to provide health care services or an

1 officer, employee or agent thereof acting in the course and scope of
2 employment; and

3 3. "Health care services" means acts of diagnosis, treatment,
4 medical evaluation or advice or such other acts as may be
5 permissible under the health care licensing statutes of this state.

6 B. An action based on tort, breach of contract or otherwise,
7 for damages for injury against a health care provider for alleged
8 professional negligence, for the performance of health care services
9 without consent, or for error or omission in the practice of the
10 health care provider's profession, which occurs on or after the
11 effective date of this act, shall be commenced within ten (10) years
12 of the act, omission or failure complained of or of the last
13 treatment where there was continuous treatment for the same illness,
14 injury or condition which gave rise to the act, omission or failure.

15 SECTION 2. REPEALER 76 O.S. 2011, Section 18, is hereby
16 repealed.

17 SECTION 3. This act shall become effective November 1, 2017.

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19 56-1-1592 TEK 3/20/2017 4:57:50 PM

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