

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3231

By: Moore and Derby

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8                               COMMITTEE SUBSTITUTE

9           An Act relating to public health and safety; amending  
10          63 O.S. 2011, Section 1-707b, which relates to staff  
11          privileges; providing that hospitals and health plans  
12          shall not discriminate against physicians who have  
13          been awarded certification by certain specialty  
14          boards irrespective of recertification status or  
15          participation in certain certifications; providing  
16          for codification; and providing an effective date.

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

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

20           Section 1-707b. A. The administrator in charge of or the  
21 governing board of each hospital licensed by the State Commissioner  
22 of Health shall adopt written criteria for use in determining which  
23 licensed medical doctors, doctors of osteopathy, doctors of  
24 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 accordane 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  
24

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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20 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/14/2018 -  
21 DO PASS, As Amended and Coauthored.  
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