

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 56<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 3230</b>
<b>Version:</b>	<b>INT</b>
<b>Request Number:</b>	<b>9545</b>
<b>Author:</b>	<b>Rep. Moore</b>
<b>Date:</b>	<b>2/5/2018</b>
<b>Impact:</b>	<b>One time start-up costs estimated at \$370K-\$444K for 2-3 inspectors and support staff, self-funding thereafter</b>

**Research Analysis**

The introduced measure prohibits the operation of a freestanding emergency medical facility without a license from the State Department of Health. By rule the commissioner must establish a classification for a facility that is in continuous operation 24 hours per day and 7 days a week. The bill provides exceptions for certain facilities. Applicants for licensure must submit an application prescribed by the department. Additionally, the commissioner will have the authority to promulgate rules to carry out the provisions of the bill including, but not limited to requirements for the issuance, renewal, denial, suspension and revocation of a license, construction and design of a facility, and operational requirements. The commissioner will set fees in amounts necessary to defray the cost of administering the provisions of the bill. Licensed facilities must provide appropriate medical screening, examination and stabilization within the facility's capability, regardless of an individual's ability to pay. The bill provides for emergency suspension of a facility license and permits the department to petition a district court for a temporary restraining order. Lastly, the bill establishes financial penalties for violations, and it permits a person to file a petition for judicial review of the commissioner's order contesting the occurrence of a violation, the amount of a penalty, or both.

Prepared By: Scott Tohlen

**Fiscal Analysis**

HB 3230 creates the Freestanding Emergency Medical Care Facility Licensing Fund within the State Treasury in order to collect annual license fees as determined by the State Commissioner of Health in order to defray the costs of administering provisions of the measure.

SDOH is projecting the need for an additional 2-3 inspectors, plus administrative and support staff at an annual cost of \$370,000-\$444,600 and include this amount in start-up costs.

Section 6, paragraph 2 states "The Commissioner shall set fees imposed by this act in amounts reasonable and necessary to defray the cost of administering this act.

From OSHD: No funding is provided for the rulemaking or other startup work prior to receipt of license fees, which could take approximately one year from passage of the measure. The measure would cause OSDH to increase staffing and expenses to perform rule development, architectural review of design and construction documents, license administration, inspections, complaint responses, and enforcement.

Prepared By: Stacy Johnson

**Other Considerations**

None.

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