

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 2285

By: Wright

COMMITTEE SUBSTITUTE

An Act relating to public health and safety; amending 63 O.S. 2011, Section 1-707, which relates to the rules and standards relating to the public interest of hospitals; changing who is responsible for establishing rules and standards; modifying duties of the Oklahoma Hospital Advisory Council; and providing an effective date.

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

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

Section 1-707. A. ~~The State Board of Health, upon the recommendation of the~~ State Commissioner of Health ~~and,~~ with the advice of the Oklahoma Hospital Advisory Council, shall promulgate rules and standards as ~~it~~ the Commissioner deems to be in the public interest for hospitals, on the following:

1. Construction plans and location, including fees not to exceed Two Thousand Dollars (\$2,000.00) for submission or

1 resubmission of architectural and building plans, and procedures to
2 ensure the timely review of such plans by the State Department of
3 Health. ~~Said~~ The assessed fee shall be used solely for the purposes
4 of processing approval of construction plans and location by the
5 State Department of Health;

6 2. Physical plant and facilities;

7 3. Fire protection and safety;

8 4. Food service;

9 5. Reports and records;

10 6. Staffing and personal service;

11 7. Surgical facilities and equipment;

12 8. Maternity facilities and equipment;

13 9. Control of communicable disease;

14 10. Sanitation;

15 11. Laboratory services;

16 12. Nursing facilities and equipment; and

17 13. Other items as may be deemed necessary to carry out the
18 purposes of this article.

19 B. 1. ~~The State Board of Health, upon the recommendation of~~
20 ~~the~~ State Commissioner of Health ~~and,~~ with the advice of the
21 Oklahoma Hospital Advisory Council and the State Board of Pharmacy,
22 shall promulgate rules and standards as ~~it~~ the Commissioner deems to
23 be in the public interest with respect to the storage and dispensing
24 of drugs and medications for hospital patients.

1 2. The State Board of Pharmacy shall be empowered to inspect
2 drug facilities in licensed hospitals and shall report violations of
3 applicable statutes and rules to the State Department of Health for
4 action and reply.

5 C. 1. The Commissioner shall appoint an Oklahoma Hospital
6 Advisory Council to advise the ~~Board, the Commissioner and the~~
7 Department regarding hospital operations and to recommend actions to
8 improve patient care.

9 2. The Advisory Council shall have the duty and authority to:

- 10 a. review and approve in its advisory capacity rules and
11 standards for hospital licensure,
12 b. evaluate, review and make recommendations regarding
13 Department licensure activities⁷; provided however,
14 the Advisory Council shall not make recommendations
15 regarding scope of practice for any health care
16 providers or practitioners regulated pursuant to Title
17 59 of the Oklahoma Statutes, and

18 c. recommend and approve:

- 19 (1) quality indicators and data submission
20 requirements for hospitals, ~~to include:~~

21 ~~(a) Agency for Healthcare Research and Quality~~
22 ~~(AHRQ) Patient Safety Indicators Available~~
23 ~~as part of the standard inpatient discharge~~
24 ~~data set, and~~

~~(b) for acute care intensive care unit patients,
ventilator-associated pneumonia and device-
related blood stream infections, and~~

(2) the indicators and data to be used by the
Department to monitor compliance with licensure
requirements, and

~~d. to publish an annual report of hospital performance to
include the facility specific quality indicators
required by this section.~~

D. 1. The Advisory Council shall be composed of nine (9)
members appointed by the Commissioner ~~with the advice and consent of~~
~~the Board~~. The membership of the Advisory Council shall be as
follows:

- a. two members shall be hospital administrators of
licensed hospitals,
- b. two members shall be licensed physicians or
practitioners who have current privileges to provide
services in hospitals,
- c. two members shall be hospital employees, and
- d. three members shall be citizens representing the
public who:
 - (1) are not hospital employees,
 - (2) do not hold hospital staff appointments, and
 - (3) are not members of hospital governing boards.

2. a. Advisory Council members shall be appointed for three-year terms except the initial terms after November 1, 1999, of one hospital administrator, one licensed physician or practitioner, one hospital employee, and one public member shall be one (1) year. The initial terms after the effective date of this act of one hospital administrator, one licensed physician or practitioner, one hospital employee, and one public member shall be two (2) years. The initial terms of all other members shall be three (3) years. After initial appointments to the Council, members shall be appointed to three-year terms.

b. Members of the Advisory Council may be removed by the Commissioner for cause.

E. The Advisory Council shall meet on a quarterly basis and shall annually elect from among its members a chairperson. Members of the Council shall serve without compensation but shall be reimbursed by the Department for travel expenses related to their service as authorized by the State Travel Reimbursement Act.

SECTION 2. This act shall become effective November 1, 2019.

57-1-8058 SH 02/18/19