

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2285

By: Wright of the House

and

7                               **Kidd** of the Senate

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11                               COMMITTEE SUBSTITUTE

12                   An Act relating to public health and safety; amending  
13                   63 O.S. 2011, Section 1-707, which relates to the  
14                   rules and standards relating to the public interest  
15                   of hospitals; changing who is responsible for  
16                   establishing rules and standards; modifying duties of  
17                   the Oklahoma Hospital Advisory Council; and providing  
18                   an effective date.

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

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

21                   Section 1-707.   A.   ~~The State Board of Health, upon the~~  
22 ~~recommendation of the~~ State Commissioner of Health ~~and,~~ with the  
23 advice of the Oklahoma Hospital Advisory Council, shall promulgate  
24

1 rules and standards as ~~it~~ the Commissioner deems to be in the public  
2 interest for hospitals, on the following:

3 1. Construction plans and location, including fees not to  
4 exceed Two Thousand Dollars (\$2,000.00) for submission or  
5 resubmission of architectural and building plans, and procedures to  
6 ensure the timely review of such plans by the State Department of  
7 Health. ~~Said~~ The assessed fee shall be used solely for the purposes  
8 of processing approval of construction plans and location by the  
9 State Department of Health;

10 2. Physical plant and facilities;

11 3. Fire protection and safety;

12 4. Food service;

13 5. Reports and records;

14 6. Staffing and personal service;

15 7. Surgical facilities and equipment;

16 8. Maternity facilities and equipment;

17 9. Control of communicable disease;

18 10. Sanitation;

19 11. Laboratory services;

20 12. Nursing facilities and equipment; and

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

23 B. 1. ~~The State Board of Health, upon the recommendation of~~  
24 ~~the~~ State Commissioner of Health ~~and,~~ and with the advice of the

1 Oklahoma Hospital Advisory Council and the State Board of Pharmacy,  
2 shall promulgate rules and standards as ~~it~~ the Commissioner deems to  
3 be in the public interest with respect to the storage and dispensing  
4 of drugs and medications for hospital patients.

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

9 C. 1. The Commissioner shall appoint an Oklahoma Hospital  
10 Advisory Council to advise the ~~Board, the Commissioner and the~~  
11 Department regarding hospital operations and to recommend actions to  
12 improve patient care.

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

- 14 a. review and approve in its advisory capacity rules and  
15 standards for hospital licensure,
- 16 b. evaluate, review and make recommendations regarding  
17 Department licensure activities~~7~~; provided however,  
18 the Advisory Council shall not make recommendations  
19 regarding scope of practice for any health care  
20 providers or practitioners regulated pursuant to Title  
21 59 of the Oklahoma Statutes, and
- 22 c. recommend and approve:
  - 23 (1) quality indicators and data submission  
24 requirements for hospitals, ~~to include:~~

1                   ~~(a) Agency for Healthcare Research and Quality~~

2                   ~~(AHRQ) Patient Safety Indicators Available~~

3                   ~~as part of the standard inpatient discharge~~

4                   ~~data set, and~~

5                   ~~(b) for acute care intensive care unit patients,~~

6                   ~~ventilator-associated pneumonia and device-~~

7                   ~~related blood stream infections, and~~

8                   (2) the indicators and data to be used by the

9                   Department to monitor compliance with licensure

10                  requirements,~~and~~

11                  ~~d. to publish an annual report of hospital performance to~~

12                  ~~include the facility specific quality indicators~~

13                  ~~required by this section.~~

14                  D. 1. The Advisory Council shall be composed of nine (9)

15 members appointed by the Commissioner ~~with the advice and consent of~~

16 ~~the Board~~. The membership of the Advisory Council shall be as

17 follows:

18                  a. two members shall be hospital administrators of

19                    licensed hospitals,

20                  b. two members shall be licensed physicians or

21                    practitioners who have current privileges to provide

22                    services in hospitals,

23                  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.

COMMITTEE REPORT BY: COMMITTEE ON HEALTH SERVICES AND LONG-TERM  
CARE, dated 02/19/2019 - DO PASS, As Amended and Coauthored.