

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 ENGROSSED SENATE
5 BILL NO. 419

By: Bice of the Senate

and

Miller of the House

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9 An Act relating to health services; defining terms;
10 directing certain licensing boards to work with
11 hospitals and healthcare professionals to develop
12 certain policies and materials to meet certain
13 requirements; requiring conformance with federal law;
14 providing exception; providing for codification; and
15 providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1-242 of Title 63, unless there
19 is created a duplication in numbering, reads as follows:

20 A. As used in this section:

21 1. "Hospital" shall have the same meaning as such term is
22 defined in Section 1-701 of Title 63 of the Oklahoma Statutes;

23 2. "Licensed health care professional" means a licensed
24 allopathic or osteopathic physician, a licensed Advanced Practice
25 Registered Nurse or a licensed physician assistant;

1 3. "Postnatal care" means an office visit to a licensed health
2 care professional occurring after birth, with reference to the
3 infant or mother;

4 4. "Prenatal care" means an office visit to a licensed health
5 care professional for pregnancy-related care occurring before birth;
6 and

7 5. "Questionnaire" means an assessment tool administered by a
8 licensed health care professional to detect perinatal mental health
9 disorders, such as the Edinburgh Postnatal Depression Scale, the
10 Postpartum Depression Screening Scale, the Beck Depression
11 Inventory, the Patient Health Questionnaire or other validated
12 assessment methods.

13 B. The State Board of Medical Licensure and Supervision, the
14 State Board of Osteopathic Examiners and the State Board of Nursing
15 may work with hospitals and licensed health care professionals in
16 this state to develop policies, procedures, information and
17 educational materials to meet each of the following requirements
18 concerning perinatal mental health disorders:

19 1. Licensed health care professionals providing prenatal care
20 to women shall provide education to women and, if possible and with
21 permission, to their families about perinatal mental health
22 disorders in accordance with the formal opinions and recommendations
23 of the American College of Obstetricians and Gynecologists;

1 2. All hospitals that provide labor and delivery services in
2 this state shall provide new mothers, prior to discharge following
3 childbirth, and, if possible, shall provide fathers and other family
4 members with complete information about perinatal mental health
5 disorders, including its symptoms, methods of coping with the
6 illness and treatment resources;

7 3. Licensed health care professionals providing prenatal care
8 at a prenatal visit shall invite each pregnant patient to complete a
9 questionnaire and shall review the completed questionnaire in
10 accordance with the formal opinions and recommendations of the
11 American College of Obstetricians and Gynecologists. Assessment for
12 perinatal mental health disorders shall be repeated when, in the
13 professional judgment of the licensed health care professional, a
14 reasonable possibility exists that the woman suffers from perinatal
15 mental health disorders;

16 4. Licensed health care professionals providing postnatal care
17 to women shall invite each patient to complete a questionnaire and
18 shall review the completed questionnaire in accordance with the
19 formal opinions and recommendations of the American College of
20 Obstetricians and Gynecologists; and

21 5. Licensed health care professionals providing pediatric care
22 to an infant shall invite the infant's mother to complete a
23 questionnaire at any well-baby checkup at which the mother is
24 present prior to the infant's first birthday, and shall review the

1 completed questionnaire in accordance with the formal opinions and
2 recommendations of the American College of Obstetricians and
3 Gynecologists, in order to ensure that the health and well-being of
4 the infant are not compromised by an undiagnosed perinatal mental
5 health disorder in the mother. In order to share results from an
6 assessment with the mother's primary licensed health care
7 professional, consent should be obtained from the mother in
8 accordance with the Health Insurance Portability and Accountability
9 Act of 1996, 29 U.S.C.A., Section 1181 et seq. If the mother is
10 determined to present an acute danger to herself or someone else,
11 consent is not required.

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

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14 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 04/02/2019 -
15 DO PASS.
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