

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 718 By: McCortney of the Senate
3 and
4 Mize of the House
5
6
7 An Act relating to allopathic medicine; amending 59
8 O.S. 2011, Section 492, as amended by Section 1,
9 Chapter 40, O.S.L. 2016 (59 O.S. Supp. 2020, Section
10 492), which relates to definition of the practice of
11 medicine; adding certain exclusion; and providing an
12 effective date.
13
14 AUTHORS: Remove Representative Mize as principal House author and
15 substitute with Representative McEntire
16
17 AMENDMENT NO. 1. Delete the title, enacting clause and entire bill
18 and replace with:
19
20 "An Act relating to pharmacy; amending 59 O.S. 2011,
21 Section 353.18, as last amended by Section 4,
22 Chapter 285, O.S.L. 2016 (59 O.S. Supp. 2020,
23 Section 353.18), which relates to the sale,
24 manufacturing or packaging of dangerous drugs;
providing licensure exception; providing exception
to pharmacy requirements for facilities distributing
or dispensing dialysate or devices necessary for
peritoneal dialysis; amending 59 O.S. 2011, Section
353.24, as last amended by Section 6, Chapter 106,
O.S.L. 2018 (59 O.S. Supp. 2020, Section 353.24),
which relates to unlawful acts; providing certain
construction; providing certification exception; and
providing an effective date.
BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY 59 O.S. 2011, Section 353.18, as
2 last amended by Section 4, Chapter 285, O.S.L. 2016 (59 O.S. Supp.
3 2020, Section 353.18), is amended to read as follows:

4 Section 353.18 A. 1. It shall be unlawful for any person,
5 including, but not limited to, Internet, website or online
6 pharmacies, to sell at retail or to offer for sale, dangerous drugs,
7 medicines, chemicals or poisons for the treatment of disease,
8 excluding agricultural chemicals and drugs, or to accept
9 prescriptions for same, without first procuring a license from the
10 State Board of Pharmacy. This licensure requirement applies whether
11 such sale, offer for sale or acceptance of prescriptions occurs in
12 this state, or such sale, offer for sale, or acceptance of
13 ~~prescription~~ prescriptions occurs out of state and the dangerous
14 drug, medicine, chemical or poison is to be delivered, distributed
15 or dispensed to patients or customers in this state. This licensure
16 requirement shall not apply to the distribution or dispensing of
17 dialysate or peritoneal dialysis devices to patients with end-stage
18 renal disease (ESRD) consistent with subsection F of this section.

19 2. A pharmacy license shall be issued to such person as the
20 Board shall deem qualified upon evidence satisfactory to the Board
21 that:

22 a. the place for which the license is sought will be
23 conducted in full compliance with the law and the
24 rules of the Board,

- 1 b. the location and physical characteristics of the place
2 are reasonably consistent with the maintenance of
3 professional surroundings and constitute no known
4 danger to the public health and safety,
5 c. the place will be under the management and control of
6 a licensed pharmacist or pharmacist-in-charge who
7 shall be licensed as a pharmacist in Oklahoma, and
8 d. a licensed pharmacist shall be present and on duty at
9 all business hours; provided, however, the provisions
10 of this subparagraph shall not apply to hospital drug
11 rooms.

12 3. a. An application for an initial or renewal license
13 issued pursuant to the provisions of this subsection
14 shall:

- 15 (1) be submitted to the Board in writing,
16 (2) contain the name or names of persons owning the
17 pharmacy, and
18 (3) provide other such information deemed relevant by
19 the Board.

20 b. An application for an initial or renewal license shall
21 be accompanied by a licensing fee not to exceed Three
22 Hundred Dollars (\$300.00) for each period of one (1)
23 year. Prior to opening for business, all applicants
24 for an initial license or permit shall be inspected.

1 An initial licensure applicant shall pay an inspection
2 fee not to exceed Two Hundred Dollars (\$200.00);
3 provided, however, that no charge shall be made for
4 the licensing of any Federal Veterans Hospital in the
5 State of Oklahoma. Non-resident pharmacies shall
6 reimburse the Board for any actual expenses incurred
7 for inspections.

8 c. A license issued pursuant to the provisions of this
9 subsection shall be valid for a period set by the
10 Board and shall contain the name of the licensee and
11 the address of the place at which such business shall
12 be conducted.

13 4. A retail pharmacy that prepares sterile drugs shall obtain a
14 pharmacy license, and shall also obtain a sterile compounding permit
15 at a fee set by the Board, not to exceed Seventy-five Dollars
16 (\$75.00). Such pharmacy shall meet requirements set by the Board by
17 rule for sterile compounding permits.

18 5. An outsourcing facility desiring to dispense prescriptions
19 to patients must additionally license and meet the requirements of a
20 pharmacy.

21 B. 1. It shall be unlawful for any person to manufacture,
22 repackage, distribute, outsource, warehouse or be a third-party
23 logistics provider of any dangerous drugs, medicines, medical gases,
24 chemicals, or poisons for the treatment of disease, excluding

1 agricultural chemicals, without first procuring a license from the
2 Board. It shall be unlawful to sell or offer for sale at retail or
3 wholesale dangerous drugs, medicines, medical gases, chemicals or
4 poisons without first procuring a license from the Board. This
5 licensure requirement shall apply when the manufacturing,
6 repackaging, distributing, outsourcing, warehousing, or provision of
7 third-party logistics occurs in this state or out of state for
8 delivery, distribution, or dispensing to patients or customers in
9 this state.

10 2. A license shall be issued to such person as the Board shall
11 deem qualified upon satisfactory evidence to the Board that:

- 12 a. the place for which the license is sought will be
13 conducted in full compliance with the laws of this
14 state and the administrative rules of the Board,
- 15 b. the location and physical characteristics of the place
16 of business are reasonably consistent with the
17 maintenance of professional surroundings and
18 constitute no known danger to public health and
19 safety,
- 20 c. the place shall be under the management and control of
21 such persons as may be approved by the Board after a
22 review and determination of the persons'
23 qualifications, and
24

1 d. an outsourcing facility shall designate in writing on
2 a Board-approved form a person to serve as the
3 pharmacist-in-charge who is a pharmacist licensed by
4 the Board.

5 3. a. An application for an initial or renewal license
6 issued pursuant to the provisions of this subsection
7 shall:

8 (1) be submitted to the Board in writing,

9 (2) contain the name or names of the owners or the
10 applicants, and

11 (3) provide such other information deemed relevant by
12 the Board.

13 b. An application for an initial or renewal license shall
14 be accompanied by a licensing fee not to exceed Three
15 Hundred Dollars (\$300.00) for each period of one (1)
16 year. Prior to opening for business, all applicants
17 for initial or renewal license shall be inspected. An
18 initial licensure applicant shall pay an inspection
19 fee not to exceed Two Hundred Dollars (\$200.00). Non-
20 resident applicants shall reimburse the Board for any
21 actual expenses incurred for inspections.

22 c. A license issued pursuant to the provisions of this
23 subsection shall contain the name of the licensee and
24 the address of the place at which such business shall

1 be conducted and shall be valid for a period of time
2 set by the Board.

3 C. A licensee or permit holder who, pursuant to the provisions
4 of this section, fails to complete an application for a renewal
5 license or permit by the fifteenth day after the expiration of the
6 license or permit shall pay a late fee to be fixed by the Board.

7 D. 1. The Board shall promulgate rules regarding the issuance
8 and renewal of licenses and permits pursuant to the Oklahoma
9 Pharmacy Act which shall include, but need not be limited to,
10 provisions for new or renewal application requirements for its
11 licensees and permit holders. Requirements for new and renewal
12 applications may include, but need not be limited to, the following:

- 13 a. type of ownership, whether individual, partnership,
14 limited liability company or corporation,
- 15 b. names and addresses of principal owners or officers
16 and their Social Security numbers, including
17 applicant's full name, all trade or business names
18 used, full business address, telephone numbers, and
19 email addresses,
- 20 c. names of designated representatives and facility
21 managers and their Social Security numbers and dates
22 of birth,
- 23 d. evidence of a criminal background check and
24 fingerprinting of the applicant, if a person, and all

- 1 of the applicant's designated representatives and
2 facility managers,
- 3 e. a copy of the license from the applicant's home state,
4 and if applicable, from the federal government,
- 5 f. bond requirements, and
- 6 g. any other information deemed by the Board to be
7 necessary to protect the public health and safety.

8 2. The Board shall be authorized to use an outside agency, such
9 as the National Association of Boards of Pharmacy (NABP) or the
10 Verified-Accredited Wholesale Distributors (VAWD), to accredit
11 wholesale distributors and repackagers.

12 E. The Oklahoma Pharmacy Act shall not be construed to prevent
13 the sale of nonprescription drugs in original manufacturer packages
14 by any merchant or dealer.

15 F. The Oklahoma Pharmacy Act shall not be construed to apply to
16 a facility engaged in the distribution or dispensing to patients of
17 dialysate or peritoneal dialysis devices necessary to perform home
18 peritoneal dialysis, provided the following criteria are met:

- 19 1. The dialysate is comprised of dextrose or icodextrin;
- 20 2. The dialysate or peritoneal dialysis devices are approved or
21 cleared by the United States Food and Drug Administration;
- 22 3. The dialysate or peritoneal dialysis devices are lawfully
23 held by a manufacturer, or the manufacturer's agent, who is properly
24 licensed by the Board as a manufacturer, wholesaler or distributor;

1 4. The dialysate or peritoneal dialysis devices are held and
2 delivered in their original, sealed packaging from the manufacturing
3 facility;

4 5. The dialysate or peritoneal dialysis devices are delivered
5 only upon receipt of a physician's prescription by a licensed
6 pharmacy, and the transmittal of an order from the licensed pharmacy
7 to the manufacturer or the manufacturer's agent; and

8 6. The manufacturer or agent of the manufacturer delivers the
9 dialysate or peritoneal dialysis devices directly to:

10 a. a patient with ESRD or the patient's designee for the
11 patient's self-administration of the dialysis therapy,
12 or

13 b. a health care provider or institution for
14 administration or delivery of the dialysis therapy to
15 the patient with ESRD.

16 SECTION 2. AMENDATORY 59 O.S. 2011, Section 353.24, as
17 last amended by Section 6, Chapter 106, O.S.L. 2018 (59 O.S. Supp.
18 2020, Section 353.24), is amended to read as follows:

19 Section 353.24 A. It shall be unlawful for any licensee or
20 other person to:

21 1. Forge or increase the quantity of drug in any prescription,
22 or to present a prescription bearing forged, fictitious or altered
23 information or to possess any drug secured by such forged,
24 fictitious or altered prescription;

1 2. Sell, offer for sale, barter or give away any unused
2 quantity of drugs obtained by prescription, except through a program
3 pursuant to the Utilization of Unused Prescription Medications Act
4 or as otherwise provided by the State Board of Pharmacy;

5 3. Sell, offer for sale, barter or give away any drugs damaged
6 by fire, water, or other causes without first obtaining the written
7 approval of the Board or the State Department of Health;

8 4. No person, firm or business establishment shall offer to the
9 public, in any manner, their services as a "pick-up station" or
10 intermediary for the purpose of having prescriptions filled or
11 delivered, whether for profit or gratuitously. Nor may the owner of
12 any pharmacy or drug store authorize any person, firm or business
13 establishment to act for them in this manner with these exceptions:

14 a. patient-specific filled prescriptions may be delivered
15 or shipped to a prescriber's clinic for pick-up by
16 those patients whom the prescriber has individually
17 determined and documented do not have a permanent or
18 secure mailing address,

19 b. patient-specific filled prescriptions for drugs which
20 require special handling written by a prescriber may
21 be delivered or shipped to the prescriber's clinic for
22 administration or pick-up at the prescriber's office,

23 c. patient-specific filled prescriptions, including
24 sterile compounded drugs, may be delivered or shipped

1 to a prescriber's clinic where they shall be
2 administered,

3 d. patient-specific filled prescriptions for patients
4 with ~~End Stage Renal Disease~~ end-stage renal disease
5 (ESRD) may be delivered or shipped to a prescriber's
6 clinic for administration or final delivery to the
7 patient,

8 e. patient-specific filled prescriptions for
9 radiopharmaceuticals may be delivered or shipped to a
10 prescriber's clinic for administration or pick-up, or

11 f. patient-specific filled prescriptions may be delivered
12 or shipped by an Indian Health Services (IHS) or
13 federally recognized tribal health organization
14 operating under the IHS in the delivery of the
15 prescriptions to a pharmacy operated by the IHS or a
16 federally recognized tribal health organization for
17 pick-up by an IHS or tribal patient.

18 However, nothing in this paragraph shall prevent a pharmacist or
19 an employee of the pharmacy from personally receiving a prescription
20 or delivering a legally filled prescription to a residence, office
21 or place of employment of the patient for whom the prescription was
22 written. Provided further, the provisions of this paragraph shall
23 not apply to any Department of Mental Health and Substance Abuse
24 Services employee or any person whose facility contracts with the

1 Department of Mental Health and Substance Abuse Services whose
2 possession of any dangerous drug, as defined in Section 353.1 of
3 this title, is for the purpose of delivery of a mental health
4 consumer's medicine to the consumer's home or residence. Nothing in
5 this paragraph shall prevent veterinary prescription drugs from
6 being shipped directly from an Oklahoma licensed wholesaler or
7 distributor registered with the Oklahoma Board of Veterinary Medical
8 Examiners to a client; provided, such drugs may be dispensed only on
9 prescription of a licensed veterinarian and only when an existing
10 veterinary-client-patient relationship exists. Nothing in this
11 paragraph shall prevent dialysate and peritoneal dialysis devices
12 from being shipped directly from an Oklahoma licensed manufacturer,
13 wholesaler or distributor to an ESRD patient or patient's designee,
14 consistent with subsection F of Section 353.18 of this title;

15 5. Sell, offer for sale or barter or buy any professional
16 samples except through a program pursuant to the Utilization of
17 Unused Prescription Medications Act;

18 6. Refuse to permit or otherwise prevent members of the Board
19 or such representatives thereof from entering and inspecting any and
20 all places, including premises, vehicles, equipment, contents, and
21 records, where drugs, medicine, chemicals or poisons are stored,
22 sold, vended, given away, compounded, dispensed, repackaged,
23 transported, or manufactured;

1 7. Interfere, refuse to participate in, impede or otherwise
2 obstruct any inspection, investigation or disciplinary proceeding
3 authorized by the Oklahoma Pharmacy Act;

4 8. Possess dangerous drugs without a valid prescription or a
5 valid license to possess such drugs; provided, however, this
6 provision shall not apply to any Department of Mental Health and
7 Substance Abuse Services employee or any person whose facility
8 contracts with the Department of Mental Health and Substance Abuse
9 Services whose possession of any dangerous drug, as defined in
10 Section 353.1 of this title, is for the purpose of delivery of a
11 mental health consumer's medicine to the consumer's home or
12 residence;

13 9. Fail to establish and maintain effective controls against
14 the diversion of drugs for any other purpose than legitimate
15 medical, scientific or industrial uses as provided by state, federal
16 and local law;

17 10. Fail to have a written drug diversion detection and
18 prevention policy;

19 11. Possess, sell, offer for sale, barter or give away any
20 quantity of dangerous drugs not listed as a scheduled drug pursuant
21 to Sections 2-201 through 2-212 of Title 63 of the Oklahoma Statutes
22 when obtained by prescription bearing forged, fictitious or altered
23 information.

1 a. A first violation of this section shall constitute a
2 misdemeanor and upon conviction shall be punishable by
3 imprisonment in the county jail for a term not more
4 than one (1) year and a fine in an amount not more
5 than One Thousand Dollars (\$1,000.00).

6 b. A second violation of this section shall constitute a
7 felony and upon conviction shall be punishable by
8 imprisonment in the Department of Corrections for a
9 term not exceeding five (5) years and a fine in an
10 amount not more than Two Thousand Dollars (\$2,000.00);

11 12. Violate a Board order or agreed order;

12 13. Compromise the security of licensure examination materials;

13 or

14 14. Fail to notify the Board, in writing, within ten (10) days
15 of a licensee or permit holder's address change.

16 B. 1. It shall be unlawful for any person other than a
17 licensed pharmacist or physician to certify a prescription before
18 delivery to the patient or the patient's representative or
19 caregiver. Dialysate and peritoneal dialysis devices supplied
20 pursuant to the provisions of subsection F of Section 353.18 of this
21 title shall not be required to be certified by a pharmacist prior to
22 being supplied by a manufacturer, wholesaler or distributor.

1 2. It shall be unlawful for any person to institute or manage a
2 pharmacy unless such person is a licensed pharmacist or has placed a
3 licensed pharmacist in charge of such pharmacy.

4 3. No licensed pharmacist shall manage, supervise or be in
5 charge of more than one pharmacy.

6 4. No pharmacist being requested to sell, furnish or compound
7 any drug, medicine, chemical or other pharmaceutical preparation, by
8 prescription or otherwise, shall substitute or cause to be
9 substituted for it, without authority of the prescriber or
10 purchaser, any like drug, medicine, chemical or pharmaceutical
11 preparation.

12 5. No pharmacy, pharmacist-in-charge or other person shall
13 permit the practice of pharmacy except by a licensed pharmacist or
14 assistant pharmacist.

15 6. No person shall subvert the authority of the pharmacist-in-
16 charge of the pharmacy by impeding the management of the
17 prescription department to act in compliance with federal and state
18 law.

19 C. 1. It shall be unlawful for a pharmacy to resell dangerous
20 drugs to any wholesale distributor.

21 2. It shall be unlawful for a wholesale distributor to purchase
22 drugs from a pharmacy.

23 SECTION 3. This act shall become effective November 1, 2021."
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1 Passed the House of Representatives the 21st day of April, 2021.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of ____, 2021.

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9 Presiding Officer of the Senate
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1 ENGROSSED SENATE
2 BILL NO. 718

By: McCortney of the Senate

3 and

4 Mize of the House

5
6 An Act relating to allopathic medicine; amending 59
7 O.S. 2011, Section 492, as amended by Section 1,
8 Chapter 40, O.S.L. 2016 (59 O.S. Supp. 2020, Section
9 492), which relates to definition of the practice of
10 medicine; adding certain exclusion; and providing an
11 effective date.

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

13 SECTION 4. AMENDATORY 59 O.S. 2011, Section 492, as
14 amended by Section 1, Chapter 40, O.S.L. 2016 (59 O.S. Supp. 2020,
15 Section 492), is amended to read as follows:

16 Section 492. A. Every person shall be regarded as practicing
17 allopathic medicine within the meaning and provisions of ~~this act~~
18 the Oklahoma Allopathic Medical and Surgical Licensure and
19 Supervision Act, who shall append to his or her name the letters
20 "M.D.", "Physician" or any other title, letters or designation which
21 represent that such person is a physician, or who shall for a fee or
22 any form of compensation diagnose and/or treat disease, injury or
23 deformity of persons in this state by any allopathic legend drugs,
24 surgery, manual, or mechanical treatment unless otherwise authorized
by law.

1 B. A hospital or related institution as such terms are defined
2 in Section 1-701 of Title 63 of the Oklahoma Statutes, which has the
3 principal purpose or function of providing hospital or medical care,
4 including but not limited to any corporation, association, trust, or
5 other organization organized and operated for such purpose, may
6 employ one or more persons who are duly licensed to practice
7 medicine in this state without being regarded as itself practicing
8 medicine within the meaning and provisions of this section. The
9 employment by the hospital or related institution of any person who
10 is duly licensed to practice medicine in this state shall not, in
11 and of itself, be considered as an act of unprofessional conduct by
12 the person so employed. Nothing provided herein shall eliminate,
13 limit, or restrict the liability for any act or failure to act of
14 any hospital, any hospital's employees, or persons duly licensed to
15 practice medicine.

16 C. The definition of the practice of medicine and surgery shall
17 include, but is not limited to:

18 1. Advertising, holding out to the public, or representing in
19 any manner that one is authorized to practice medicine and surgery
20 in this state;

21 2. Any offer or attempt to prescribe, order, give, or
22 administer any drug or medicine and surgery for the use of any other
23 person, except as otherwise authorized by law;

- 1 3. a. any offer or attempt, except as otherwise authorized
2 by law, to prevent, diagnose, correct~~7~~ or treat in any
3 manner or by any means, methods, devices~~7~~ or
4 instrumentalities except for manual manipulation any
5 disease, illness, pain, wound, fracture, infirmity,
6 defect~~7~~ or abnormal physical or mental condition of
7 any person~~7~~ including the management of pregnancy and
8 parturition, except as otherwise authorized by law,
- 9 b. except as provided in subsection D of this section,
10 performance by a person within or outside of this
11 state, through an ongoing regular arrangement, of
12 diagnostic or treatment services~~7~~ including~~7~~ but not
13 limited to, stroke prevention and treatment, through
14 electronic communications for any patient whose
15 condition is being diagnosed or treated within this
16 state by a physician duly licensed and practicing in
17 this state. A person who performs any of the
18 functions covered by this subparagraph submits himself
19 or herself to the jurisdiction of the courts of this
20 state for the purposes of any cause of action
21 resulting from the functions performed, and
- 22 c. nothing in the Oklahoma Allopathic Medical and
23 Surgical Licensure and Supervision Act shall be
24 construed to affect or give jurisdiction to the Board

1 over any person other than medical doctors or persons
2 holding themselves out as medical doctors;

3 4. Any offer or attempt to perform any surgical operation upon
4 any person, except as otherwise authorized by law; and

5 5. The use of the title Doctor of Medicine, Physician, Surgeon,
6 Physician and Surgeon, Dr., M.D. or any combination thereof in the
7 conduct of any occupation or profession pertaining to the
8 prevention, diagnosis, or treatment of human disease or condition
9 unless, where appropriate, such a designation additionally contains
10 the description of another branch of the healing arts for which one
11 holds a valid license in this state.

12 D. The practice of medicine and surgery, as defined in this
13 section, shall not include:

14 1. A student while engaged in training in a medical school
15 approved by the Board or while engaged in graduate medical training
16 under the supervision of the medical staff of a hospital or other
17 health care facility approved by the state medical board for such
18 training, except that a student engaged in graduate medical training
19 shall hold a license issued by the Board for such training;

20 2. Any person who provides medical treatment in cases of
21 emergency where no fee or other consideration is contemplated,
22 charged or received;

23 3. A commissioned medical officer of the armed forces of the
24 United States or medical officer of the United States Public Health

1 Service or the Department of Veterans Affairs of the United States
2 in the discharge of official duties and/or within federally
3 controlled facilities; and provided that such person shall be fully
4 licensed to practice medicine and surgery in one or more
5 jurisdictions of the United States; provided further that such
6 person who holds a medical license in this state shall be subject to
7 the provisions of the Oklahoma Allopathic Medical and Surgical
8 Licensure and Supervision Act;

9 4. Any person licensed under any other act when properly
10 practicing in the healing art for which that person is duly
11 licensed;

12 5. The practice of those who endeavor to prevent or cure
13 disease or suffering by spiritual means or prayer;

14 6. Any person administering a domestic or family remedy to a
15 member of such person's own family;

16 7. Any person licensed to practice medicine and surgery in
17 another state or territory of the United States who renders
18 emergency medical treatment or briefly provides critical medical
19 service at the specific lawful direction of a medical institution or
20 federal agency that assumes full responsibility for that treatment
21 or service and is approved by the Board;

22 8. Any person who is licensed to practice medicine and surgery
23 in another state or territory of the United States whose sole
24 purpose and activity is limited to brief actual consultation with a

specific physician who is licensed to practice medicine and surgery by the Board, other than a person with a special or restricted license; ~~or~~

9. Any person who is licensed to practice medicine and surgery in another state or territory of the United States who engages in consultation through telehealth with a patient physically located in this state for the sole purpose of providing an expert second opinion; or

10. The practice of any other person as licensed by appropriate agencies of this state, provided that such duties are consistent with the accepted standards of the person's profession and the person does not represent himself or herself as a Doctor of Medicine, Physician, Surgeon, Physician and Surgeon, Dr., M.D., or any combination thereof.

E. Nothing in the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act shall prohibit:

1. The service rendered by a physician's unlicensed trained assistant, if such service is rendered under the supervision and control of a licensed physician pursuant to Board rules, provided such rules are not in conflict with the provisions of any other healing arts licensure act or rules promulgated pursuant to such act; or

2. The service of any other person duly licensed or certified by the state to practice the healing arts.

1 F. Nothing in the Oklahoma Allopathic Medical and Surgical
2 Licensure and Supervision Act shall prohibit services rendered by
3 any person not licensed by the Board and practicing any
4 nonallopathic healing practice.

5 G. Nothing in the Oklahoma Allopathic Medical and Surgical
6 Licensure and Supervision Act shall be construed as to require a
7 physician to secure a Maintenance of Certification (MOC) as a
8 condition of licensure, reimbursement, employment or admitting
9 privileges at a hospital in this state. For the purposes of this
10 subsection, "Maintenance of Certification (MOC)" shall mean a
11 continuing education program measuring core competencies in the
12 practice of medicine and surgery and approved by a nationally-
13 recognized accrediting organization.

14 SECTION 5. This act shall become effective November 1, 2021.

15 Passed the Senate the 10th day of March, 2021.

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Presiding Officer of the Senate

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19 Passed the House of Representatives the ____ day of _____,
20 2021.

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Presiding Officer of the House
of Representatives

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