

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3741

By: Blancett

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to medical licensure; amending 59
10 O.S. 2021, Sections 641 and 495a.1, which relate to
11 continuing education licensure requirements; creating
12 education option; and providing an effective date.

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

14 SECTION 1. AMENDATORY 59 O.S. 2021, Section 641, is
15 amended to read as follows:

16 Section 641. A. All persons legally licensed to practice
17 osteopathic medicine in this state, on or before the first day of
18 July of each year, shall apply to the secretary-treasurer of the
19 State Board of Osteopathic Examiners, on forms furnished thereby,
20 for a renewal certificate of registration entitling such licensee to
21 practice osteopathic medicine and surgery in Oklahoma during the
22 next ensuing fiscal year.

23 B. Each application shall be accompanied by a renewal fee in an
24 amount sufficient to cover the cost and expense incurred by the

1 State Board of Osteopathic Examiners, for a renewal of the person's
2 certificate to practice osteopathic medicine.

3 C. 1. In addition to the payment of the annual renewal fee
4 each licensee applying for a renewal of the certificate shall
5 furnish to the State Board of Osteopathic Examiners proof that the
6 person has attended at least two (2) days of the annual educational
7 program conducted by the Oklahoma Osteopathic Association, or its
8 equivalent, as determined by the Board, in the fiscal year preceding
9 the application for a renewal; provided, the Board may excuse the
10 failure of the licensee to attend the educational program in the
11 case of illness or other unavoidable casualty rendering it
12 impossible for the licensee to have attended the educational program
13 or its equivalent.

14 2. The Board shall require that the licensee receive not less
15 than one (1) hour of education in pain management ~~or~~, one (1) hour
16 of education in opioid use or addiction, and one (1) hour of suicide
17 prevention education each year preceding an application for renewal
18 of a license, unless the licensee has demonstrated to the
19 satisfaction of the Board that the licensee does not currently hold
20 a valid federal Drug Enforcement Administration registration number.
21 Such education may be held at the annual educational program
22 referenced in paragraph 1 of this subsection.

23 D. The secretary of the State Board of Osteopathic Examiners
24 shall send a written notice to every person holding a legal

1 certificate to practice osteopathic medicine in this state, at least
2 thirty (30) days prior to the first day of July each year, directed
3 to the last-known address of the licensee, notifying the licensee
4 that it will be necessary for the licensee to pay the renewal
5 license fee as herein provided, and proper forms shall accompany the
6 notice upon which the licensee shall make application for renewal of
7 the certificate.

8 SECTION 2. AMENDATORY 59 O.S. 2021, Section 495a.1, is
9 amended to read as follows:

10 A. At regular intervals set by the State Board of Medical
11 Licensure and Supervision, no less than one time per annum, each
12 licensee licensed by the Oklahoma Allopathic Medical and Surgical
13 Licensure and Supervision Act shall demonstrate to the Board the
14 licensee's continuing qualification to practice medicine and
15 surgery. The licensee shall apply for license reregistration on a
16 form or forms provided by the Board, which shall be designed to
17 require the licensee to update or add to the information in the
18 Board's file relating to the licensee and his or her professional
19 activity. It shall also require the licensee to report to the Board
20 the following information:

21 1. Any action taken against the licensee for acts or conduct
22 similar to acts or conduct described in the Oklahoma Allopathic
23 Medical and Surgical Licensure and Supervision Act as grounds for
24 disciplinary action by:

- a. any jurisdiction or authority (United States or foreign) that licenses or authorizes the practice of medicine and surgery,
- b. any peer review body,
- c. any health care institution,
- d. any professional medical society or association,
- e. any law enforcement agency,
- f. any court, or
- g. any governmental agency;

2. Any adverse judgment, settlement, or award against the licensee arising from a professional liability claim;

3. The licensee's voluntary surrender of or voluntary limitation on any license or authorization to practice medicine and surgery in any jurisdiction, including military, public health and foreign;

4. Any denial to the licensee of a license or authorization to practice medicine and surgery by any jurisdiction, including military, public health or foreign;

5. The licensee's voluntary resignation from the medical staff of any health care institution or voluntary limitation of the licensee's staff privileges at such an institution if that action occurred while the licensee was under formal or informal investigation by the institution or a committee thereof for any

1 reason related to alleged medical incompetence, unprofessional
2 conduct, or mental or physical impairment;

3 6. The licensee's voluntary resignation or withdrawal from a
4 national, state, or county medical society, association, or
5 organization if that action occurred while the licensee was under
6 formal or informal investigation or review by that body for any
7 reason related to possible medical incompetence, unprofessional or
8 unethical conduct, or mental or physical impairment;

9 7. Whether the licensee has abused or has been addicted to or
10 treated for addiction to alcohol or any chemical substance during
11 the previous registration period, unless such person is in a
12 rehabilitation program approved by the Board;

13 8. Whether the licensee has had any physical injury or disease
14 or mental illness during the previous registration period that
15 affected or interrupted his or her practice of medicine and surgery;
16 and

17 9. The licensee's completion of continuing medical education or
18 other forms of professional maintenance or evaluation, including
19 specialty board certification or recertification, during the
20 previous registration period.

21 B. The Board may require continuing medical education for
22 license reregistration and require documentation of that education.
23 The Board shall promulgate rules on the specific requirements of the
24 amount of continuing medical education needed for reregistration.

1 Failure to meet the requirements in the allotted time may result in
2 the licensee being required to pay a nondisciplinary fine by the
3 Board secretary of up to but not more than One Thousand Dollars
4 (\$1,000.00).

5 C. The Board shall require that the licensee receive not less
6 than one (1) hour of education in pain management ~~or~~, one (1) hour
7 of education in opioid use or addiction, and one (1) hour of suicide
8 prevention education each year preceding an application for renewal
9 of a license, unless the licensee has demonstrated to the
10 satisfaction of the Board that the licensee does not currently hold
11 a valid federal Drug Enforcement Administration registration number.

12 D. The licensee shall sign and attest to the veracity of the
13 application form for license reregistration. Failure to report
14 fully and correctly shall be grounds for disciplinary action by the
15 Board.

16 E. The Board shall establish a system for reviewing
17 reregistration forms. The Board may initiate investigations and
18 disciplinary proceedings based on information submitted by licensees
19 for license reregistration.

20 F. Upon a finding by the Board that the licensee is fit to
21 continue to practice medicine and surgery in this state, the Board
22 shall issue to the licensee a license to practice medicine and
23 surgery during the next registration period.

SECTION 3. This act shall become effective November 1, 2022.

COMMITTEE REPORT BY: COMMITTEE ON HEALTH SERVICES AND LONG-TERM
CARE, dated 03/02/2022 - DO PASS, As Amended.