

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 4203

By: Echols

6 AS INTRODUCED

7 An Act relating to the State Board of Medical
8 Licensure and Supervision; creating requirements
9 related to physician investigation transparency;
10 providing for codification; and providing an
11 effective date.

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 542 of Title 59, unless there is
15 created a duplication in numbering, reads as follows:

16 A. As used in this section "Board" means the State Board of
17 Medical Licensure and Supervision.

18 B. Where the Board is investigating a complaint against a
19 physician made by a patient or a patient's personal representative,
20 the following procedures shall be followed:

21 1. A Board analyst or a medical consultant shall interview the
22 complaining patient before a decision is made whether the case
23 should go to an investigator;

1 2. All hearings shall be public and subject to the open
2 meetings law of this state, this shall include an option to
3 participate remotely;

4 3. The Board shall inform the complainant of all public
5 proceedings;

6 4. The Board shall allow the complainant to be heard at all
7 public hearings, and be given the opportunity to provide additional
8 information when applicable.

9 C. The Board may not choose to withhold information about the
10 enforcement process. The Board shall be required to disclose the
11 following:

12 1. The number and nature of all patient complaints against a
13 physician, regardless of the outcome;

14 2. The factual record of investigations; and

15 3. In some instances, the full record of the investigation,
16 including any interviews, transcripts, notes, or other documents
17 related to the complaint.

18 D. The Board shall inform the patients when there is
19 disciplinary action taken against the defending physician. This
20 includes but is not limited to:

21 1. Probationary status;

22 2. Disciplinary actions;

23 3. All malpractice settlements over Thirty-Thousand Dollars
24 (\$30,000.00).

1 E. The Board shall eliminate all conflicts of interest when
2 investigating and conducting disciplinary actions.

3 F. The Board shall have a policy to shorten and expedite
4 oversight and streamline the disciplinary action process.

5 G. The Board shall have a policy of creating proportionate
6 penalties for disciplinary actions against physicians.

7 SECTION 2. This act shall become effective November 1, 2022.
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