

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1993

By: Garvin

AS INTRODUCED

An Act relating to professional negligence; defining terms; establishing statute of repose for certain actions; repealing 76 O.S. 2021, Section 18, which relates to limitation of actions; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18.1 of Title 76, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Continuous treatment" shall not include examinations undertaken at the request of the patient for the sole purpose of ascertaining the state of the patient's condition;

2. "Health care provider" means any physician or hospital licensed by this state to provide health care services or an officer, employee, or agent thereof acting in the course and scope of employment; and

1 3. "Health care services" means acts of diagnosis, treatment,
2 medical evaluation, or advice or such other acts as may be
3 permissible under the health care licensing statutes of this state.

4 B. An action based on tort, breach of contract, or otherwise,
5 for damages for injury against a health care provider for alleged
6 professional negligence, for the performance of health care services
7 without consent, or for error or omission in the practice of the
8 health care provider's profession, which occurs on or after the
9 effective date of this act, shall be commenced within ten (10) years
10 of the act, omission, or failure complained of or of the last
11 treatment where there was continuous treatment for the same illness,
12 injury, or condition which gave rise to the act, omission, or
13 failure.

14 SECTION 2. REPEALER 76 O.S. 2021, Section 18, is hereby
15 repealed.

16 SECTION 3. This act shall become effective November 1, 2024.

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