

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

I move to amend House Bill No. 2686 as follows:

1. On Page 1, Line 13 1/2, by inserting the following new Section 1 and renumbering subsequent sections:

“SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the “Hannah McKenzie Act of 2023”.”

2. On Page 4, Line 10, by removing Section 2 and inserting the attached new Sections 2 and 3; and

3. By amending the title to conform.

Submitted by:

Senator Burns

Burns-DC-FA2-HB2686

4/25/2023 5:25 PM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 SECTION 2. AMENDATORY 59 O.S. 2021, Section 478.1, is
2 amended to read as follows:

3 Section 478.1. A. Unless otherwise prohibited by law, a valid
4 physician-patient relationship may be established by an allopathic
5 or osteopathic physician with a patient located in this state
6 through telemedicine, provided that the physician:

7 1. Holds a license to practice medicine in this state;

8 2. Confirms with the patient the patient's identity and
9 physical location; and

10 3. Provides the patient with the treating physician's identity
11 and professional credentials.

12 B. Telemedicine encounters shall comply with the Health
13 Insurance Portability and Accountability Act of 1996 and ensure
14 that all patient communications and records are secure and
15 confidential.

16 C. Telemedicine encounters in this state shall not be used to
17 establish a valid physician-patient relationship for the purpose of
18 prescribing opiates, synthetic opiates, semisynthetic opiates,
19 benzodiazepine or carisprodol, ~~but may be~~ unless the encounter is
20 used to prescribe ~~opioid~~ opioid:

21 1. Opioid antagonists or partial agonists pursuant to Sections
22 1-2506.1 and 1-2506.2 of Title 63 of the Oklahoma Statutes; or

23 2. A Schedule III, IV, or V controlled dangerous substance
24 approved by the United States Food and Drug Administration for

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 medication assisted treatment or detoxification treatment for
2 substance use disorder.

3 D. A physician-patient relationship shall not be created
4 solely based on the receipt of patient health information by a
5 physician. The duties and obligations created by a physician-
6 patient relationship shall not apply until the physician
7 affirmatively:

- 8 1. Undertakes to diagnose and treat the patient; or
9 2. Participates in the diagnosis and treatment of the patient.

10 SECTION 3. It being immediately necessary for the preservation
11 of the public peace, health or safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

(Floor Amendments Only) Date and Time Filed: _____

Untimely Amendment Cycle Extended Secondary Amendment