

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☒ FLOOR AMENDMENT

No. 1

☐ COMMITTEE AMENDMENT

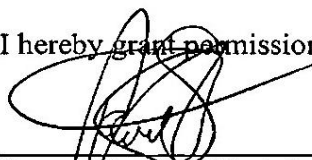
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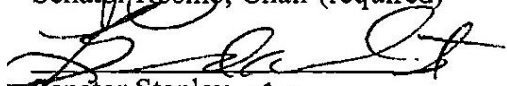
I move to amend Senate Bill No. 761 by substituting the attached floor substitute (Request #1878) for the title, enacting clause and entire body of the measure.

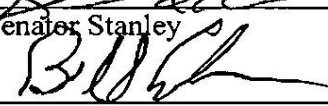
Submitted by:

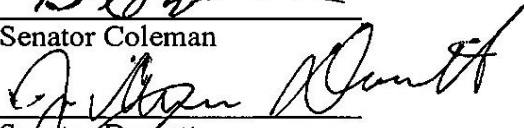

Senator McIntosh

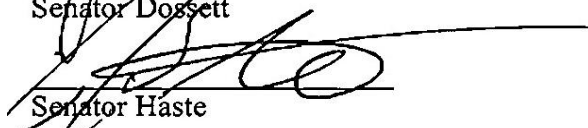
I hereby grant permission for the floor substitute to be adopted.


Senator Rosino, Chair (required)


Senator Stanley



Senator Coleman


Senator Dossett

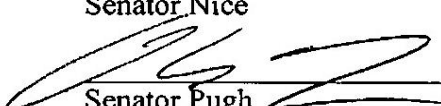

Senator Haste

Senator Hicks

Senator Paxton, President Pro Tempore


Senator McIntosh

Senator Nice


Senator Pugh


Senator Reinhardt

Senator Standridge

Senator Thompson

Senator Daniels, Majority Floor Leader

Note: Health and Human Services Committee majority requires seven (7) members' signatures.

McIntosh-DC-FS-SB761

3/18/2025 8:53 AM

(Floor Amendments Only)

Date and Time Filed: 3/18/25 5:00 PM

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 761

By: McIntosh, Sacchieri, and
Hamilton of the Senate

and

Gise and Woolley of the
House

FLOOR SUBSTITUTE

An Act relating to health care; creating the Lori Brand Patient Bill of Rights Act of 2025; providing short title; creating a list of rights for a patient seeking treatment; specifying certain responsibilities of patients seeking treatment; creating certain rights for minor patients seeking treatment; specifying certain responsibilities of parents of minor patients seeking treatment; providing certain construction; 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 3501 of Title 63, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Lori Brand Patient Bill of Rights Act of 2025".

1 SECTION 2. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 3501.1 of Title 63, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Each patient treated in this state shall have the following
5 rights when being treated:

6 1. The right to considerate and respectful care, provided in a
7 safe environment, free from all forms of abuse, neglect, harassment,
8 or exploitation;

9 2. To receive information in a manner that he or she
10 understands. Communications with the patient shall be effective and
11 provided in a manner that facilitates understanding by the patient.
12 Written information provided will be appropriate to the age and
13 understanding of the patient;

14 3. To receive as much information about any proposed treatment
15 or procedure as he or she may need in order to give informed consent
16 or to refuse the course of treatment. Except in emergencies, this
17 shall include a description of the procedure or treatment, the
18 medically significant risks involved in the procedure or treatment,
19 alternate courses of treatment or nontreatment and the risks
20 involved in each, and the name of the person who will carry out the
21 procedure or treatment;

22 4. To receive the name of the doctor who has primary
23 responsibility for coordinating his or her care;

1 5. To have an advance directive for health care concerning
2 treatment or to designate a surrogate decision-maker with the
3 expectation that the hospital will honor the intent of that
4 directive to the extent allowed by law and hospital policy. The
5 health care provider must advise a patient of his or her rights
6 under state law and hospital policy to make informed medical
7 decisions, ask if the patient has an advance directive, and include
8 that information in patient records. The patient has the right to
9 timely information about hospital policy that may limit its ability
10 to implement a legally valid advance directive;

11 6. To participate in the development and implementation of his
12 or her plan of care and actively participate in decisions regarding
13 his or her medical care;

14 7. To accept medical care or to refuse treatment, to the extent
15 permitted by law, and to be informed of the consequences of such
16 refusal;

17 8. To become informed of his or her rights as a patient in
18 advance of, or when discontinuing, the provision of care. The
19 patient may appoint a representative to receive this information
20 should he or she so desire;

21 9. To have a family member or representative of his or her
22 choice notified promptly of his or her admission to the hospital;

23 10. To request that no information regarding his or her
24 admittance, diagnosis, or treatment be released;

1 11. To full consideration of privacy concerning his or her
2 medical care program. Case discussion, consultation, examination,
3 and treatment are confidential and should be conducted discreetly to
4 protect privacy. The patient has the right to be advised as to the
5 reason for the presence of any individual involved in his or her
6 health care;

7 12. To access his or her medical records, including current
8 medical records, upon a verbal or written request, in the form and
9 format requested by the individual, if it is readily producible in
10 such form and format (including in an electronic form or format when
11 such medical records are maintained electronically); or, if not, in
12 a readable hard copy form or such other form and format as agreed to
13 by the facility and the individual, and within a reasonable time
14 frame. The hospital must not frustrate the legitimate efforts of
15 individuals to gain access to their own medical records and must
16 actively seek to meet these requests as quickly as its recordkeeping
17 system permits;

18 13. To reasonable continuity of care, when appropriate, and to
19 be informed by the doctor and other caregivers of available and
20 realistic patient care options when hospital care is no longer
21 appropriate;

22 14. To confidential treatment of all communications and records
23 pertaining to his or her care and stay at the hospital. The
24 patient's written authorization shall be obtained before his or her

1 medical records can be made available to anyone not directly
2 concerned with his or her care;

3 15. To expect that, within its capacity and policies, the
4 hospital will make a reasonable response to the request of a patient
5 for appropriate and medically directed care and services. The
6 hospital must provide evaluation, service, and or a referral as
7 indicated by the urgency of the case. When medically appropriate
8 and legally permissible, or when a patient has requested a transfer,
9 that patient may be transferred to another facility. The receiving
10 facility must have first accepted the patient for transfer. The
11 patient must also have the benefit of the complete information and
12 explanation concerning the need for, risks and benefits of, and
13 alternatives to such a transfer;

14 16. The patient and the patient's representative have the right
15 to participate in the consideration of ethical issues that might
16 arise in the care of the patient. The hospital shall have a
17 mechanism for the consideration of ethical issues arising in the
18 care of patients and to provide education to caregivers and patients
19 on ethical issues in health care;

20 17. To be advised of the hospital's complaint or grievance
21 process should the patient wish to communicate a concern regarding
22 the quality of care he or she receives. This process shall include
23 whom to contact to file a complaint. The patient shall be provided
24 with a written notice of the complaint determination that contains

1 the contact information of the patient advocate or similar person or
2 department, the steps taken on his or her behalf to investigate the
3 complaint, the results of the complaint and, when possible, the
4 resolution of the complaint concerning the quality of care;

5 18. If the patient is sixty-five (65) years of age or older,
6 the message from Medicare outlining the rights of the elderly shall
7 be provided to the patient at the time of his or her admission to
8 the hospital;

9 19. To be advised if a hospital or doctor proposes to engage in
10 medical education, training examinations with students or other
11 personnel, research studies, or human experimentation affecting the
12 patient's care or treatment. The patient has the right to consent
13 or refuse to participate in and to have such education, training
14 examinations, research studies, or experiments fully explained prior
15 to consent. All information provided to subjects shall be contained
16 in the medical record and research file, as appropriate, along with
17 the consent forms. Refusal to participate or discontinuation of
18 participation shall not compromise the patient's right to access
19 care, treatment, or services;

20 20. To examine and receive an explanation of his or her bill
21 regardless of source of payment;

22 21. To find publicly disclosed on any website for the hospital
23 any language that would put a reasonable person on notice as to
24 whether the hospital may be corporately owned or physician-owned.

1 For purposes of this section, a public website for the hospital does
2 not include, by way of example: social media websites, electronic
3 payment portals, electronic patient care portals, or electronic
4 health information exchanges;

5 22. To remain free from restraints or seclusion in any forms
6 that are not medically necessary or are used as a means of coercion,
7 discipline, convenience, or retaliation by staff;

8 23. To receive the visitors whom he or she designates,
9 including, but not limited to, a spouse, a domestic partner, another
10 family member, or a friend. The patient has the right to withdraw
11 or deny consent at any time. Visitation shall not be restricted,
12 limited, or otherwise denied on the basis of race, color, national
13 origin, religion, sex, disease type or state, or disability; and

14 24. Through use of the Hospital-Issued Notice of Noncoverage,
15 Medicare beneficiaries have the right to be informed in advance of
16 procedures or treatment for which Medicare may deny payment, and
17 that the beneficiary may be personally responsible for full payment
18 if Medicare denies payment.

19 B. A patient, guardian of a patient, or legally authorized
20 representative of a patient shall have the following
21 responsibilities:

22 1. To provide accurate and complete information concerning the
23 patient's present complaints, past illnesses, hospitalizations,
24 medications, and other matters relating to his or her health;

- 1 2. To report perceived risks in the patient's care and
2 unexpected changes in his or her condition to the responsible health
3 care provider;
- 4 3. For the patient's actions should he or she refuse treatment
5 or not follow his or her doctor's orders;
- 6 4. To ask questions when the patient does not understand what
7 he or she has been told about the patient's care or what he or she
8 is expected to do;
- 9 5. To be considerate of the rights of other patients and
10 hospital personnel;
- 11 6. To participate in educational and discharge planning
12 activities necessary to ensure that he or she has adequate knowledge
13 and support services to provide him or her with a safe environment
14 upon discharge from the hospital;
- 15 7. To ask the doctor or nurse what to expect regarding pain
16 management, to discuss pain relief options with doctors and nurses
17 and to help develop a pain management plan, to ask for pain relief
18 when pain first begins, to help doctors and nurses assess the
19 patient's pain, to tell the doctors and nurses if his or her pain is
20 not relieved, and to tell doctors and nurses about any concerns
21 about taking pain medication;
- 22 8. For keeping appointments and for notifying the hospital or
23 doctor when he or she is unable to do so;
- 24

1 9. Being respectful of his or her personal property and that of
2 other patients in the hospital;

3 10. Following hospital procedures; and

4 11. Assuring that the financial obligations of his or her care
5 are fulfilled as promptly as possible.

6 C. Any minor patient has the following rights, in accordance
7 with the laws of this state pertaining to parental consent and
8 parental rights, when being treated in this state:

9 1. To be treated with respect in regards to:

10 a. each child and adolescent as a unique individual, and

11 b. the role of the parent and legal guardian;

12 2. To provisions for normal physical and physiological needs of
13 a growing child including nutrition, rest, sleep, warmth, activity,
14 and freedom to move and explore. Minors shall, in accordance with
15 the laws of this state pertaining to parental consent and parental
16 rights, have the right to:

17 a. appropriate treatment in the least restrictive
18 setting,

19 b. not receive unnecessary or excessive medication,

20 c. an individualized treatment plan,

21 d. a humane treatment environment that provides
22 reasonable protection from harm and appropriate
23 privacy,

24 e. separation from adult patients when possible, and

f. regular communication between the minor patient and the patient's family or legal guardian;

3. To consistent, supportive, and nurturing care;

4. To the reassuring presence of a parent, guardian, or designee of the parent or guardian;

5. To information about what to expect prior to, during, and following a procedure or experience and support in coping with it; and

6. To the minimization of stay duration by recognizing discharge planning needs.

D. All parents and legal guardians of minor patients in this state shall have the following responsibilities:

1. To continue in their parenting role to the extent of their ability; and

2. To be available to participate in decision-making.

E. Nothing in this section shall be construed to supersede, limit, or otherwise alter a parent or legal guardian's authority to make medical decisions on behalf of his or her minor child or exercise any other parental right conferred by state law including, but not limited to, the Parents' Bill of Rights.

SECTION 3. This act shall become effective November 1, 2025.

60-1-1878 DC 3/18/2025 5:21:57 PM