

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 443

By: Stanley of the Senate

and

Miller of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to the practice of medicine; amending
12 59 O.S. 2021, Section 487, which relates to the
13 secretary of the State Board of Medical Licensure and
14 Supervision; modifying duties and requirements
15 related to the secretary; authorizing the Board to
16 hire a medical advisor as a separate position;
17 amending 59 O.S. 2021, Section 493.1, which relates
18 to requirements for licensure; removing certain
19 conditions for licensure; modifying requirements for
20 postgraduate medical training; amending 59 O.S. 2021,
21 Section 493.2, which relates to foreign applicants;
22 modifying licensure requirements for foreign
23 applicants; authorizing the Board to obtain national
24 criminal history background check on certain
 physician applicants; specifying certain background
 check procedures; limiting use of background check
 results; specifying applicability of certain
 provisions; amending 59 O.S. 2021, Section 513, which
 relates to quasi-judicial powers of the Board;
 broadening applicability of certain provisions;
 amending 59 O.S. 2021, Section 518.1, as amended by
 Section 4, Chapter 302, O.S.L. 2024 (59 O.S. Supp.
 2024, Section 518.1), which relates to the Allied
 Professional Peer Assistance Program; authorizing
 certain contracts; removing certain duty of the
 Board; amending 59 O.S. 2021, Section 519.4, which
 relates to licensure requirements for physician

1 assistants; requiring national criminal history
2 background check; authorizing the Board to obtain
3 background checks on physician assistant applicants;
4 specifying certain background check procedures;
5 limiting use of background check results; updating
6 statutory language; updating statutory references;
7 providing for codification; providing an effective
8 date; and declaring an emergency.

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

10 SECTION 1. AMENDATORY 59 O.S. 2021, Section 487, is
11 amended to read as follows:

12 Section 487. A. The State Board of Medical Licensure and
13 Supervision may appoint ~~the~~ a Board secretary to ~~serve as Medical~~
14 ~~Advisor or hire a physician to serve as Medical Advisor to the Board~~
15 ~~and the Board staff~~ carry out the statutory duties of the Oklahoma
16 Allopathic Medical and Surgical Licensure and Supervision Act. The
17 Board may hire the secretary as an employee of the Board at such
18 hours of employment and compensation as determined by the Board.
19 The ~~Board may hire~~ secretary shall be a licensed allopathic
20 physician ~~to serve as the secretary or medical advisor, or both, to~~
21 ~~the Board and its staff. This position shall be in the exempt~~
22 ~~unclassified service, as provided for in subsection B of Section~~
23 ~~840-5.5 of Title 74 of the Oklahoma Statutes.~~ The secretary shall
24 not be a member of the Board and shall not vote on Board actions.

25 B. The secretary of the Board shall preserve a true record of
26 the official proceedings of the meetings of the Board. He or she

1 shall also preserve a record of physicians licensed, applying for
2 such license, or applying for reinstatement of such license in this
3 state showing:

- 4 1. Age;
- 5 2. Ethnic origin;
- 6 3. Sex;
- 7 4. Place of practice and residence;
- 8 5. The time spent in premedical and medical study, together
9 with the names of the schools attended, and the date of graduation
10 therefrom, with the degrees granted;
- 11 6. The grades made in examination for license or grades filed
12 in application therefor; and
- 13 7. A record of the final disposition of each application for
14 licensure.

15 ~~The secretary of the Board shall, on or before the first day of~~
16 ~~May in each year, transmit an official copy of the register for the~~
17 ~~preceding calendar year, to the Secretary of State for permanent~~
18 ~~record, a certified copy of which shall be admitted as evidence in~~
19 ~~all courts of the state.~~

20 C. The Board may hire a licensed physician to serve as a
21 medical advisor to the Board and the Board staff. The medical
22 advisor shall assist in carrying out the statutory duties of the
23 Board including, but not limited to, compliance and investigations.
24

1 SECTION 2. AMENDATORY 59 O.S. 2021, Section 493.1, is
2 amended to read as follows:

3 Section 493.1. A. An applicant to practice medicine and
4 surgery in this state shall provide to the State Board of Medical
5 Licensure and Supervision and attest to the following information
6 and documentation in a manner required by the Board:

7 1. The applicant's full name and all aliases or other names
8 ever used, current address, Social Security number, and date and
9 place of birth;

10 2. A photograph of the applicant, taken within the previous
11 twelve (12) months;

12 3. All documents and credentials required by the Board, or
13 notarized photocopies or other verification acceptable to the Board
14 of such documents and credentials;

15 4. A list of all jurisdictions, United States or foreign, in
16 which the applicant is licensed or has applied for licensure to
17 practice medicine and surgery or is authorized or has applied for
18 authorization to practice medicine and surgery;

19 5. A list of all jurisdictions, United States or foreign, in
20 which the applicant has been denied licensure or authorization to
21 practice medicine and surgery or has voluntarily surrendered a
22 license or an authorization to practice medicine and surgery;

23 6. A list of all sanctions, judgments, awards, settlements, or
24 convictions against the applicant in any jurisdiction, United States

1 or foreign, that would constitute grounds for disciplinary action
2 under ~~this act~~ the Oklahoma Allopathic Medical and Surgical
3 Licensure and Supervision Act or the Board's rules;

4 7. A detailed educational history, including places,
5 institutions, dates, and program descriptions, of all his or her
6 education, including all college, preprofessional, professional, and
7 professional graduate education;

8 8. A detailed chronological ~~life~~ history from age eighteen (18)
9 years to the present, including ~~places and dates of residence,~~
10 employment, ~~and~~ military service (United States or foreign), and all
11 professional degrees ~~or~~, licenses, or certificates now or ever held;
12 and

13 9. Any other information or documentation specifically
14 requested by the Board that is related to the applicant's ability to
15 practice medicine and surgery.

16 B. The applicant shall possess a valid degree of Doctor of
17 Medicine from a medical college or school located in the United
18 States, its territories or possessions, or Canada that was approved
19 by the Board or by a private nonprofit accrediting body approved by
20 the Board at the time the degree was conferred. The application
21 shall be considered by the Board based upon the product and process
22 of the medical education and training.

23 C. The applicant shall have satisfactorily completed twelve
24 (12) months of progressive postgraduate medical training ~~approved as~~ approved as

1 promulgated by rule by the Board ~~or by a private nonprofit~~
2 ~~accrediting body approved by the Board in an institution in the~~
3 ~~United States, its territories or possessions, or in programs in~~
4 ~~Canada, England, Scotland, Ireland, Australia or New Zealand~~
5 ~~approved by the Board or by a private nonprofit accrediting body~~
6 ~~approved by the Board.~~ The Board shall consider as evidence of
7 acceptability the sponsoring institution's accreditation by the
8 Accreditation Council for Graduate Medical Education (ACGME), the
9 American Society of Transplant Surgeons (ASTS), the Royal College of
10 Physicians and Surgeons of Canada, the College of Family Physicians
11 of Canada, the Royal College of Surgeons of Edinburgh, the Royal
12 College of Surgeons of England, the Royal College of Physicians and
13 Surgeons of Glasgow, or the Royal College of Surgeons in Ireland.

14 D. The applicant shall submit a history from the ~~Administration~~
15 administration of the ~~Medical School~~ medical school from which the
16 applicant graduated of any suspension, probation, or disciplinary
17 action taken against the applicant while a student at that
18 institution.

19 E. The applicant shall have passed medical licensing
20 examination(s) ~~satisfactory to~~ consistent with policies and
21 procedures regarding the number of medical licensure exam attempts
22 as established by the United States Medical Licensing Examination
23 program unless granted an exception by the Board.

1 F. The applicant shall have demonstrated a familiarity with all
2 appropriate statutes and rules and regulations of this state and the
3 federal government relating to the practice of medicine and surgery.

4 G. The applicant shall be physically, mentally, professionally,
5 and morally capable of practicing medicine and surgery in a manner
6 reasonably acceptable to the Board and in accordance with federal
7 law and shall be required to submit to a physical, mental, or
8 professional competency examination or a drug dependency evaluation
9 if deemed necessary by the Board.

10 H. The applicant shall not have committed or been found guilty
11 by a competent authority, United States or foreign, of any conduct
12 that would constitute grounds for disciplinary action under ~~this act~~
13 the Oklahoma Allopathic Medical and Surgical Licensure and
14 Supervision Act or rules of the Board. The Board may modify this
15 restriction for cause.

16 I. Upon request by the Board, the applicant shall make a
17 personal appearance before the Board or a representative thereof for
18 interview, examination, or review of credentials. At the discretion
19 of the Board, the applicant shall be required to present his or her
20 original medical education credentials for inspection during the
21 personal appearance.

22 J. The applicant shall be held responsible for verifying to the
23 satisfaction of the Board the identity of the applicant and the
24 validity of all credentials required for his or her medical

1 licensure. The Board may review and verify medical credentials and
2 screen applicant records through recognized national physician
3 information services.

4 K. The applicant shall have paid all fees and completed and
5 attested to the accuracy of all application and information forms
6 required by the Board.

7 L. Grounds for the denial of a license shall include:

8 1. Use of false or fraudulent information by an applicant;

9 2. Suspension or revocation of a license in another state
10 unless the license has been reinstated in that state;

11 3. Refusal of licensure in another state other than for
12 examination failure; and

13 4. Multiple examination failures.

14 M. The Board shall not deny a license to a person otherwise
15 qualified to practice allopathic medicine within the meaning of ~~this~~
16 ~~act~~ the Oklahoma Allopathic Medical and Surgical Licensure and
17 Supervision Act solely because the person's practice or a therapy is
18 experimental or nontraditional.

19 SECTION 3. AMENDATORY 59 O.S. 2021, Section 493.2, is
20 amended to read as follows:

21 Section 493.2. A. Foreign applicants shall meet all
22 requirements for licensure as provided in Sections 492.1 and 493.1
23 of this title.
24

1 B. 1. A foreign applicant shall possess the degree of Doctor
2 of Medicine or ~~a Board-approved~~ an equivalent approved by the State
3 Board of Medical Licensure and Supervision based on satisfactory
4 completion of educational programs from a foreign medical school as
5 evidenced by recognized national and international resources
6 available to the Board.

7 2. In the event the foreign medical school utilized clerkships
8 in the United States, its territories, or possessions, such
9 clerkships shall have been performed in hospitals and schools that
10 have programs accredited by the Accreditation Council for Graduate
11 Medical Education (ACGME).

12 C. A foreign applicant shall have a command of the English
13 language that is satisfactory to the State Board of Medical
14 Licensure and Supervision, demonstrated by ~~the passage of an oral~~
15 ~~English competency examination~~ certification by the Educational
16 Commission for Foreign Medical Graduates (ECFMG).

17 D. The Board may promulgate rules requiring all foreign
18 applicants to satisfactorily complete at least twelve (12) months
19 and up to twenty-four (24) months of Board-approved progressive
20 graduate medical training as determined necessary by the Board for
21 the protection of the public health, safety, and welfare.

22 E. All credentials, diplomas, and other required documentation
23 in a foreign language submitted to the Board by such applicants
24 shall be accompanied by notarized English translations.

1 F. Foreign applicants shall provide satisfactory evidence of
2 having met the requirements for permanent residence or temporary
3 nonimmigrant status as set forth by the United States ~~Immigration~~
4 ~~and Naturalization Service~~ Department of Homeland Security.

5 G. Foreign applicants shall provide a certified copy of the
6 Educational Commission for Foreign Medical Graduates (ECFMG)
7 Certificate or the Medical Council of Canada Certificate of
8 Registration to the Board at such time and in such manner as
9 required by the Board. The Board may waive the requirement for an
10 Educational Commission for Foreign Medical Graduates Certificate or
11 a Medical Council of Canada Certificate of Registration by rule for
12 good cause shown.

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 493.8 of Title 59, unless there
15 is created a duplication in numbering, reads as follows:

16 A. The State Board of Medical Licensure and Supervision is
17 authorized to obtain a national criminal history background check on
18 physician applicants seeking a letter of qualification for purposes
19 of registration for expedited licensure through the Interstate
20 Medical Licensure Compact pursuant to Section 493.7 of Title 59 of
21 the Oklahoma Statutes.

22 B. Oklahoma physician applicants seeking a letter of
23 qualification under the Compact shall be fingerprinted for the
24 national criminal history background check. Applicant fingerprints

1 shall be submitted to the Oklahoma State Bureau of Investigation and
2 the national criminal history background check shall be conducted in
3 accordance with Section 150.9 of Title 74 of the Oklahoma Statutes.
4 The Bureau shall return national criminal history results to the
5 Board.

6 C. Results obtained from the national criminal history
7 background check shall be used solely for the screening of physician
8 applicants and shall be retained by the Board. The Board shall not
9 disseminate criminal history record information resulting from the
10 background check.

11 D. This section shall only apply to Oklahoma physician
12 applicants seeking an expedited license under the Compact.

13 SECTION 5. AMENDATORY 59 O.S. 2021, Section 513, is
14 amended to read as follows:

15 Section 513. A. 1. The State Board of Medical Licensure and
16 Supervision is hereby given quasi-judicial powers while sitting as a
17 Board for the purpose of revoking, suspending, or imposing other
18 disciplinary actions upon the license of physicians or ~~surgeons of~~
19 ~~this state~~ other licensees of the Board, and appeals from its
20 decisions shall be taken to the Supreme Court of this state within
21 thirty (30) days of the date that a copy of the decision is mailed
22 to the appellant, as shown by the certificate of mailing attached to
23 the decision.
24

1 2. The license of any physician or ~~surgeon~~ other licensee of
2 the Board who has been convicted of any felony ~~in~~ within or ~~without~~
3 ~~the State of Oklahoma~~ outside of this state, ~~and~~ whether in a state
4 or federal court, may be suspended by the Board upon the submission
5 thereto of a certified copy of the judgment and sentence of the
6 trial court ~~and the certificate of the clerk of the court of the~~
7 ~~conviction.~~

8 3. Upon proof of a felony conviction by the courts or any plea
9 of a felony, the Board shall revoke the ~~physician's~~ license of the
10 physician or other licensee of the Board. If the felony conviction
11 is overturned on appeal and no other appeals are sought, the Board
12 shall restore the license ~~of the physician~~. Court records of such a
13 conviction shall be prima facie evidence of the conviction.

14 4. The Board shall also revoke and cancel the license of any
15 physician or ~~surgeon~~ other licensee of the Board who has been
16 charged in a court of record of this or other states of the United
17 States or in the federal court with the commission of a felony and
18 who is a fugitive from justice, upon the submission of a certified
19 copy of the charge together with a certificate from the clerk of the
20 court that after the commitment of the crime the physician or
21 ~~surgeon~~ other licensee of the Board fled from the jurisdiction of
22 the court and is a fugitive from justice.

23 B. To the extent necessary to allow the Board the power to
24 enforce disciplinary actions imposed by the Board, in the exercise

1 of its authority, the Board may punish willful violations of its
2 orders and impose additional penalties as allowed by Section 509.1
3 of this title.

4 SECTION 6. AMENDATORY 59 O.S. 2021, Section 518.1, as
5 amended by Section 4, Chapter 302, O.S.L. 2024 (59 O.S. Supp. 2024,
6 Section 518.1), is amended to read as follows:

7 Section 518.1. A. There is hereby established the Allied
8 Professional Peer Assistance Program to rehabilitate allied medical
9 professionals whose competency may be compromised because of the
10 abuse of drugs or alcohol, so that such allied medical professionals
11 can be treated and can return to or continue the practice of allied
12 medical practice in a manner which will benefit the public. The
13 program shall be under the supervision and control of the State
14 Board of Medical Licensure and Supervision.

15 B. The Board may appoint one or more peer assistance evaluation
16 advisory committees, hereinafter called ~~the~~ "allied peer assistance
17 committees". Each of these committees shall be composed of members,
18 the majority of which shall be licensed allied medical professionals
19 with expertise in chemical dependency. The allied peer assistance
20 committees shall function under the authority of the State Board of
21 Medical Licensure and Supervision in accordance with the rules of
22 the Board. The program may be one hundred percent (100%) outsourced
23 to professional groups specialized in this arena. The committee
24 members shall serve without pay, but may be reimbursed for the

1 expenses incurred in the discharge of their official duties in
2 accordance with the State Travel Reimbursement Act.

3 C. The Board may ~~appoint and~~ employ or contract with a
4 qualified person or persons to serve as program coordinators and
5 shall fix such person's compensation. The program may employ or
6 contract with a director for purposes of ongoing nonclerical
7 administrative duties and shall fix the director's compensation.
8 ~~The Board shall define the duties of the program coordinators and~~
9 ~~director who shall report directly to the Board.~~

10 D. The Board is authorized to adopt and revise rules, not
11 inconsistent with the Oklahoma Allopathic Medical and Surgical
12 Licensure and Supervision Act, as may be necessary to enable it to
13 carry into effect the provisions of this section.

14 E. A portion of licensing fees for each allied profession, not
15 to exceed Ten Dollars (\$10.00), may be used to implement and
16 maintain the Allied Professional Peer Assistance Program.

17 F. All monies paid pursuant to subsection E of this section
18 shall be deposited in an agency special account revolving fund under
19 the State Board of Medical Licensure and Supervision, and shall be
20 used for the general operating expenses of the Allied Professional
21 Peer Assistance Program, including payment of personal services.

22 G. ~~Records~~ The records and management information system of the
23 professionals enrolled in the Allied Professional Peer Assistance
24 Program and reports shall be maintained in the program office in a

1 place separate and apart from the records of the Board. The records
2 shall be made public only by subpoena and court order; provided
3 however, confidential treatment shall be ~~cancelled~~ canceled upon
4 default by the professional in complying with the requirements of
5 the program.

6 H. Any person making a report to the Board or to an allied peer
7 assistance committee regarding a professional suspected of
8 practicing allied medical practice while habitually intemperate or
9 addicted to the use of habit-forming drugs, or a professional's
10 progress or lack of progress in rehabilitation, shall be immune from
11 any civil or criminal action resulting from such reports, provided
12 such reports are made in good faith.

13 I. A professional's participation in the Allied Professional
14 Peer Assistance Program in no way precludes additional proceedings
15 by the Board for acts or omissions of acts not specifically related
16 to the circumstances resulting in the professional's entry into the
17 program. However, in the event the professional defaults from the
18 program, the Board may discipline the professional for those acts
19 which led to the professional entering the program.

20 J. The Board may suspend the license immediately upon
21 notification that the licensee has defaulted from the Allied
22 Professional Peer Assistance Program, and shall assign a hearing
23 date for the matter to be presented to the Board.
24

1 K. All treatment information, whether or not recorded, and all
2 communications between a professional and therapist are both
3 privileged and confidential. In addition, the identity of all
4 persons who have received or are receiving treatment services shall
5 be considered confidential and privileged.

6 L. As used in this section, unless the context otherwise
7 requires:

8 1. "Board" means the State Board of Medical Licensure and
9 Supervision; and

10 2. "Allied peer assistance committee" means the peer assistance
11 evaluation advisory committee created in this section, which is
12 appointed by the State Board of Medical Licensure and Supervision to
13 carry out specified duties.

14 M. The Allied Professional Peer Assistance Program may contract
15 with outside entities for services that are not available to it or
16 can be obtained for a lesser cost through such a contract. The
17 contract shall be ratified by the Board.

18 SECTION 7. AMENDATORY 59 O.S. 2021, Section 519.4, is
19 amended to read as follows:

20 Section 519.4. To be eligible for licensure as a physician
21 assistant pursuant to the provisions of Section 519.1 et seq. of
22 this title an applicant shall:
23
24

1 1. Have graduated from an accredited physician assistant
2 program recognized by the State Board of Medical Licensure and
3 Supervision; ~~and~~

4 2. Successfully pass an examination for physician assistants
5 recognized by the Board; and

6 3. Obtain a national criminal history background check.

7 SECTION 8. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 519.4A of Title 59, unless there
9 is created a duplication in numbering, reads as follows:

10 A. The State Board of Medical Licensure and Supervision is
11 authorized to obtain a national criminal history background check as
12 a condition of eligibility for individuals seeking:

13 1. Licensure to practice as a physician assistant for initial
14 licensure in this state pursuant to the provisions of the Physician
15 Assistant Act, Section 519.1 et seq. of Title 59 of the Oklahoma
16 Statutes; or

17 2. A Compact privilege under the PA Licensure Compact, Section
18 545.1 et seq. of Title 59 of the Oklahoma Statutes.

19 B. Applicants shall be fingerprinted for the national criminal
20 history background check. Applicant fingerprints shall be submitted
21 to the Oklahoma State Bureau of Investigation and the national
22 criminal history background check shall be conducted in accordance
23 with Section 150.9 of Title 74 of the Oklahoma Statutes. The Bureau
24 shall return national criminal history results to the Board.

1 C. Results obtained from the national criminal history
2 background check shall be used solely for the screening of
3 applicants and shall be retained by the Board. The Board shall not
4 disseminate criminal history record information resulting from the
5 background check.

6 SECTION 9. This act shall become effective July 1, 2025.

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

11
12 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
13 OVERSIGHT, dated 04/16/2025 - DO PASS, As Amended.
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