

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1505

By: Hicks

AS INTRODUCED

An Act relating to the State Department of Health; amending 63 O.S. 2021, Sections 1-103, 1-104, and 1-105, which relate to governance of the Department; restoring certain powers and duties to the State Board of Health; modifying appointing authority of the State Commissioner of Health; modifying powers and duties of the Board; conforming language; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-103, is amended to read as follows:

Section 1-103. A. 1. There is hereby created the State Board of Health, which shall ~~be an advisory body to the State Commissioner of Health and shall~~ consist of nine (9) members appointed by the Governor and confirmed by the Senate for regular terms of nine (9) years, except as hereinafter otherwise indicated. ~~Effective January 14, 2019, all duties and powers of the Board shall be transferred to the Commissioner. Any provision in statute that provides to the Board authority that is not advisory in nature shall be deemed to grant the duty or power to the Commissioner.~~

1 2. Not less than four members shall hold a current license to
2 practice medicine in this state pursuant to the Oklahoma Allopathic
3 Medical and Surgical Licensure and Supervision Act and the Oklahoma
4 Osteopathic Medicine Act. At least one physician member shall be a
5 person licensed to practice medicine in this state by the State
6 Board of Osteopathic Examiners. Physician members licensed by the
7 State Board of Medical Licensure and Supervision shall be members of
8 the Oklahoma State Medical Association. One physician member shall
9 be a diplomate of the American Board of Psychiatry and Neurology or
10 be similarly qualified.

11 3. Not less than two members shall possess at least five (5)
12 years of executive leadership experience in a health-related
13 business or industry, and whose education and experience includes,
14 but is not limited to, fiduciary, legal, business planning, or
15 operational decision-making authority.

16 B. 1. The term of office of one member shall expire on June
17 30, 1964, and each nine (9) years thereafter, and such member shall
18 be a resident of one of the following counties and shall have been a
19 resident of one or more of such counties for not less than five (5)
20 years immediately preceding such member's appointment: Creek,
21 Lincoln, Okfuskee, Seminole, Pottawatomie, Pontotoc, Hughes,
22 Johnston, and Coal.

23 2. The term of office of one member shall expire on June 30,
24 1965, and each nine (9) years thereafter, and such member shall be a

1 resident of one of the following counties and shall have been a
2 resident of one or more of such counties for not less than five (5)
3 years immediately preceding such member's appointment: Blaine,
4 Kingfisher, Canadian, Caddo, Grady, Comanche, Stephens, Jefferson,
5 and Cotton.

6 3. The term of office of one member shall expire on June 30,
7 1966, and each nine (9) years thereafter, and such member shall be a
8 resident of one of the following counties and shall have been a
9 resident of one or more of such counties for not less than five (5)
10 years immediately preceding such member's appointment: Le Flore,
11 Latimer, Pittsburg, Atoka, Pushmataha, McCurtain, Choctaw, Bryan,
12 Marshall, Carter, and Love.

13 4. The term of office of one member shall expire on June 30,
14 1967, and each nine (9) years thereafter, and such member shall be a
15 resident of one of the following counties and shall have been a
16 resident of one or more of such counties for not less than five (5)
17 years immediately preceding such member's appointment: Cimarron,
18 Texas, Beaver, Harper, Woodward, Woods, Major, Alfalfa, Grant,
19 Garfield, Kay, and Noble.

20 5. The term of office of one member shall expire on June 30,
21 1968, and each nine (9) years thereafter, and such member shall be a
22 resident of one of the following counties and shall have been a
23 resident of one or more of such counties for not less than five (5)
24 years immediately preceding such member's appointment: Adair,

1 Sequoyah, Cherokee, Wagoner, Muskogee, Haskell, McIntosh, and
2 Okmulgee.

3 6. The term of office of one member shall expire on June 30,
4 1969, and each nine (9) years thereafter, and such member shall be a
5 resident of one of the following counties and shall have been a
6 resident of one or more of such counties for not less than five (5)
7 years immediately preceding such member's appointment: Ottawa,
8 Delaware, Craig, Mayes, Nowata, Rogers, Washington, Tulsa, Pawnee,
9 and Osage.

10 7. The term of office of one member shall expire on June 30,
11 1970, and each nine (9) years thereafter, and such member shall be a
12 resident of one of the following counties and shall have been a
13 resident of one or more of such counties for not less than five (5)
14 years immediately preceding such member's appointment: Logan,
15 Oklahoma, Cleveland, McClain, Garvin, Murray, and Payne.

16 8. The term of office of one member shall expire on June 30,
17 1971, and each nine (9) years thereafter, and such member shall be a
18 resident of one of the following counties and shall have been a
19 resident of one or more of such counties for not less than five (5)
20 years immediately preceding such member's appointment: Ellis,
21 Dewey, Roger Mills, Custer, Beckham, Washita, Kiowa, Greer, Jackson,
22 Harmon, and Tillman.

23 9. The term of office of one member shall expire on June 30,
24 1972, and each nine (9) years thereafter, and such member shall be

1 appointed from ~~the State of Oklahoma~~ this state at large, and shall
2 have been a resident of the state for not less than five (5) years
3 immediately preceding such member's appointment.

4 SECTION 2. AMENDATORY 63 O.S. 2021, Section 1-104, is
5 amended to read as follows:

6 Section 1-104. A. The State ~~Commissioner~~ Board of Health may
7 adopt an official seal for the State Department of Health. The
8 ~~State Commissioner of Health~~ Board shall hold such meetings as ~~he or~~
9 ~~she~~ it deems necessary.

10 B. The ~~Commissioner~~ Board shall have the following powers and
11 duties:

12 1. Appoint and fix the compensation of the State Commissioner
13 of Health;

14 2. Adopt such rules and standards as ~~he or she~~ the Board deems
15 necessary to carry out any of the provisions of the Oklahoma Public
16 Health Code;

17 ~~2.~~ 3. Accept and disburse grants, allotments, gifts, devises,
18 bequests, funds, appropriations, and other property made or offered
19 to the Department; and

20 ~~3.~~ 4. Establish such divisions, sections, bureaus, offices, and
21 positions in the State Department of Health as the ~~Commissioner~~
22 Board deems necessary to carry out the provisions of this Code.

23 C. The State Commissioner of Health shall ~~be appointed by the~~
24 ~~Governor, with the advice and consent of the Senate.~~ The

1 ~~Commissioner shall serve at the pleasure of the Governor Board and~~
2 ~~may be removed or replaced without cause. Compensation for the~~
3 ~~Commissioner shall be determined pursuant to Section 3601.2 of Title~~
4 ~~74 of the Oklahoma Statutes.~~

5 SECTION 3. AMENDATORY 63 O.S. 2021, Section 1-105, is
6 amended to read as follows:

7 Section 1-105. There is hereby created a State Department of
8 Health, which shall consist of the State Commissioner of Health, and
9 such divisions, sections, bureaus, offices, and positions as may be
10 established by the ~~Commissioner~~ State Board of Health, or by law.

11 SECTION 4. This act shall become effective November 1, 2026.

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