STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1658 By: Jett

AS INTRODUCED

An Act relating to health care; creating the Informed Consent and Medical Transparency Act; providing short title; declaring legislative intent; imposing certain duties on drug manufacturers, hospitals, and health care providers; authorizing certain civil actions; providing certain construction; providing for noncodification; 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 not to be codified in the Oklahoma Statutes reads as follows:

A. This act shall be known and may be cited as the "Informed Consent and Medical Transparency Act".

B. The Legislature declares that informed consent is a cornerstone of ethical medical practice and falls within the traditional authority of the State of Oklahoma to protect the health, safety, and welfare of its citizens. Nothing in this act shall be construed to alter or conflict with federal drug approval or labeling requirements; rather, it establishes independent state

duties of disclosure and transparency to ensure Oklahomans can make informed medical decisions.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 355.5 of Title 59, unless there is created a duplication in numbering, reads as follows:

A. 1. Each manufacturer of a drug, vaccine, or biologic distributed in this state shall prepare a plain-language summary of known or reasonably suspected side effects or adverse events that are material to informed consent, including those that are rare but serious or life-threatening.

2. The summary shall be written in a manner understandable to health care providers and patients and shall be updated whenever the manufacturer, in the exercise of reasonable care, becomes aware of new or credible safety information that would materially affect informed consent.

3. Manufacturers shall provide the current summary to the State Board of Pharmacy for publication on a public website and to hospitals, pharmacies, and licensed prescribers within this state.

4. Nothing in this subsection shall require alteration of federally approved labeling or submission of data to any federal agency.

B. 1. Hospitals, health care facilities, and licensed health care providers shall ensure that each patient, or the patient's

legal guardian, receives the manufacturer's current summary prior to administration or prescription of any drug, vaccine, or biologic.

2. Suspected adverse events or side effects shall be documented through existing electronic medical record systems and transmitted to the State Board of Pharmacy within ten (10) business days.

3. Any hospital or health care provider that discourages, obstructs, or retaliates against an employee for good-faith documentation or reporting of such an event shall be jointly and severally liable for injuries proximately caused by the suppression or failure to report.

C. 1. A manufacturer, hospital, or provider that negligently fails to comply with this section shall be liable for damages proximately caused by the resulting lack of informed consent.

2. Any patient injured as a result of noncompliance may bring a civil action for damages, including reasonable attorney fees.

3. Discovery in such actions shall be liberally construed in favor of transparency, including access to relevant safety data, communications, and adverse-event documentation.

4. The Attorney General or any district attorney may also bring an action under the Oklahoma Consumer Protection Act for patterns of noncompliance.

D. This section shall be liberally construed to promote transparency and informed decision-making. It shall not be

interpreted to mandate or prohibit any treatment or to impose requirements preempted by federal law.

SECTION 3. This act shall become effective November 1, 2026.

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