

BILL SUMMARY

1st Session of the 58th Legislature

Bill No.:	SB888
Version:	FULLPCS1
Request Number:	8080
Author:	Echols
Date:	4/7/21
Impact:	Please see previous summary of this measure

Research Analysis

The PCS to SB 888 requires each pain management clinic to register with the State Board of Medical Licensure and Supervision except under certain circumstances provided in the act.

The PCS requires each clinic location to be registered separately regardless of whether the clinic is operated under the same business name or management as another clinic. Additionally, the PCS requires a clinic to designate a physician who is responsible for complying with all requirements related to registration and operation of the clinic to be in compliance with this act.

Within 10 calendar days after termination of a designated physician, the clinic must notify the State Board of Medical Licensure and Supervision of the identity of another designated physician for that clinic. Registered clinics must have a licensed designated physician practicing at the location or be subject to summary suspension of the clinic registration certificate.

The PCS provides the conditions for denial, revocation, or suspension of registration to pain management clinics owned by or with any contractual or employment relationship with a physician. The State Board of Medical Licensure and Supervision may impose an administrative fine on a clinic of up to \$5,000.00 per violation for violating the requirements of this act. The PCS provides the consideration factors in determining whether a penalty should be imposed. An owner or designated physician of a pain management clinic who concurrently operates an unregistered pain management clinic is subject to a fine of \$5,000.00 per day.

Physicians are prohibited from practicing medicine in a pain management clinic that is not registered with the State Board of Medical Licensure and Supervision. Physicians who violate this requirement is subject to disciplinary action by the appropriate medical regulatory board of the physician. The PCS prohibits any person from dispensing any controlled dangerous substance on the premises of a pain management clinic except for a licensed physician who is authorized to do so pursuant to Oklahoma law.

The PCS requires a physician, a physician assistant, or an Advanced Practice Registered Nurse to perform a physical examination of a patient on the same day that the medical professional prescribes a controlled dangerous substance to a patient at a pain management clinic.

The PCS provides facility and physical operations requirements for pain management clinics. Each physician practicing in a pain management clinic is responsible for ensuring compliance with certain infection control, quality assurance, and data collection and reporting requirements that are provided in this act. Clinics must make data and reports accessible to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control.

All affected agencies and boards are required to promulgate rules to this act.

The PCS prohibits the prescriber of a controlled dangerous substance to also dispense the controlled dangerous substance. It also prohibits a prescriber from dispensing a controlled dangerous substance pursuant to a prescription issued by another prescriber if the dispensing prescriber has a financial interest in the practice of the prescribing prescriber.

Prepared By: Dan Brooks

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

Other Considerations

None.