

1 **SENATE FLOOR VERSION**

2 March 21, 2016

3 ENGROSSED HOUSE
4 BILL NO. 2602

By: Ritze and Calvey of the
House

5 and

6 Newberry of the Senate

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9 An Act relating to public health and safety; amending
10 Section 3, Chapter 82, O.S.L. 2014 (63 O.S. Supp.
11 2015, Section 3162), which relates to the Medical
12 Treatment Laws Information Act; updating statutory
13 references; defining certain individuals required to
observe online presentation; providing that certified
reading of brochure and observation of online
presentation requirements apply to certain licenses;
and declaring an emergency.

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

17 SECTION 1. AMENDATORY Section 3, Chapter 82, O.S.L. 2014
18 (63 O.S. Supp. 2015, Section 3162), is amended to read as follows:

19 Section 3162. A. The State Board of Medical Licensure and
20 Supervision shall prepare, and from time to time amend, a brochure
21 to inform health care providers of their responsibilities and rights
22 under the specified sections of the Hydration and Nutrition for
23 Incompetent Patients Act (Sections 3080.2 through 3080.5 of ~~Title 63~~
24 ~~of the Oklahoma Statutes~~ this title), the Nondiscrimination in

1 Treatment Act (Sections 3090.2 and 3090.3 of ~~Title 63 of the~~
2 ~~Oklahoma Statutes~~ this title), the Oklahoma Advance Directive Act
3 (Section 3101.9 of ~~Title 63 of the Oklahoma Statutes~~ this title),
4 the Oklahoma Do-Not-Resuscitate Act (Section 3131.4 of ~~Title 63 of~~
5 ~~the Oklahoma Statutes~~ this title) and the Assisted Suicide
6 Prevention Act (Sections 3141.3 and 3141.4 of ~~Title 63 of the~~
7 ~~Oklahoma Statutes~~ this title). The brochure shall include contact
8 information for officials to whom alleged violations of those
9 provisions may be reported. The Board shall prepare, from time to
10 time revise, and make available on the Board's website an online
11 presentation, which shall be a minimum of one (1) hour in length,
12 consisting of training on the responsibilities and rights of health
13 care providers covered by the current brochure. The Board shall
14 provide for means to verify that a viewer indeed observed the full
15 online presentation, such as a quiz on its content to be answered at
16 the end of the presentation or other methods commonly employed in
17 association with continuing medical education. The Board shall
18 provide to each viewer who complies with such verification a dated
19 certification that the viewer completed the online training. The
20 Board shall make the current brochure and online presentation
21 available on the Board's website and shall inform all Oklahoma
22 inpatient health care services entities of their availability and
23 how to access them online on the Board's website.
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1 B. Inpatient health care services entities shall ensure that
2 all health care providers and other defined officials associated
3 with the inpatient health care services entity are provided with a
4 copy of the current brochure and sign a certification that they have
5 read the brochure and are familiar with their responsibilities and
6 rights as set forth therein:

7 1. Within fourteen (14) days of beginning employment with, of
8 beginning service on the board of directors of, or of beginning to
9 provide services to patients at the entity; and

10 2. At least once during each calendar year.

11 C. At least once during each consecutive two-calendar-year
12 period all health care providers and ~~other defined officials~~ the
13 administrator or chief executive officer, by whatever title the
14 person serving that function may be called, associated with an
15 inpatient health care services entity shall observe the online
16 presentation described in subsection A of this section. The time
17 required for observation of this presentation shall count as part
18 of, rather than being in addition to, continuing education otherwise
19 required for licensed health care providers. Inpatient health care
20 services entities shall ensure that all health care providers and
21 other defined officials associated with the inpatient health care
22 services entity provide the entity with a copy of each dated
23 certification by the Board verifying that the provider or official
24 observed the online presentation described in subsection A of this

1 section in compliance with this requirement, and shall maintain such
2 copies on file for a minimum of four (4) calendar years following
3 the calendar year to which they apply. The files of such copies
4 shall be subject to inspection under subsection B of Section 1-705,
5 and Sections 1-829 and 1-1911 of ~~Title 63 of the Oklahoma Statutes~~
6 this title.

7 D. The provisions of subsection B of this section shall be
8 effective at the beginning of the second calendar month after the
9 month in which the State Board of Medical Licensure and Supervision
10 publishes the initial brochure required by this section on its
11 website. The provisions of subsection C of this section shall be
12 effective beginning with calendar year 2015.

13 E. The provisions of subsections B and C of this section shall
14 apply to licensees of the State Board of Osteopathic Examiners and
15 such licensees shall receive appropriate continuing education
16 credits.

17 SECTION 2. It being immediately necessary for the preservation
18 of the public peace, health and safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

21 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
22 March 21, 2016 - DO PASS
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