

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 929

By: Haste

AS INTRODUCED

An Act relating to the practice of osteopathic medicine; amending 59 O.S. 2021, Section 621, which relates to definitions; adding and modifying definitions; amending 59 O.S. 2021, Section 622, which relates to osteopathic physician license; modifying certain license requirements and procedures; amending 59 O.S. 2021, Section 624, as amended by Section 1, Chapter 190, O.S.L. 2024 (59 O.S. Supp. 2024, Section 624), which relates to the State Board of Osteopathic Examiners; modifying membership of the Board; specifying mission of the Board; deleting certain Board requirement; providing for quorum; amending 59 O.S. 2021, Section 625, which relates to oath of members; removing certain oath and membership requirements; amending 59 O.S. 2021, Section 626, which relates to organization of the Board; modifying title and duties of certain position; modifying provisions relating to hiring and compensation; providing for Board subpoena; amending 59 O.S. 2021, Section 627, which relates to record of proceedings; modifying and removing requirements related to publicly available records; requiring certain notice by physician; establishing powers and duties of the Board; amending 59 O.S. 2021, Section 632, which relates to examination; modifying and removing certain examination requirements; authorizing criminal background checks for certain purpose; providing background check procedures; limiting applicability of certain provisions and disclosure of certain information; amending 59 O.S. 2021, Section 633, as amended by Section 5, Chapter 262, O.S.L. 2022 (59 O.S. Supp. 2024, Section 633), which relates to licensure; modifying, adding, and removing special license types; providing for certain restrictions; amending 59 O.S. 2021, Section 634,

1 which relates to reciprocal license; removing certain
2 exception; amending 59 O.S. 2021, Section 635.1,
3 which relates to special volunteer medical license;
4 removing certain exception; amending 59 O.S. 2021,
5 Section 635.3, which relates to resident training
6 license; expanding term of license; creating
7 osteopathic faculty license; stating minimum
8 requirements; limiting effect and term of license;
9 amending 59 O.S. 2021, Section 637, as amended by
10 Section 5, Chapter 150, O.S.L. 2023 (59 O.S. Supp.
11 2024, Section 637), which relates to disciplinary
12 action; broadening certain powers of the Board;
13 adding grounds for disciplinary action; stipulating
14 certain requirements and procedures for assessment of
15 penalties; specifying certain burdens of proof;
16 limiting availability of license reinstatement;
17 modifying certain rulemaking authority; providing for
18 reconsideration of certain orders; authorizing
19 certain appeals; granting quasi-judicial powers to
20 the Board; authorizing certain penalties; amending 59
21 O.S. 2021, Section 641, which relates to license
22 renewal; conforming language; authorizing certain
23 rules; providing for late renewal; requiring certain
24 attestation; providing for establishment of certain
system and investigations; requiring certain
malpractice liability insurance; providing
exceptions; authorizing promulgation of certain
rules; amending 59 O.S. 2021, Section 642, which
relates to penalties; modifying conditions for
license reinstatement; providing for certain appeals;
imposing certain reporting duties on licensees and
the Board; amending 59 O.S. 2021, Section 643, which
relates to use of funds; broadening allowed uses;
amending 59 O.S. 2021, Section 644, which relates to
the State Board of Osteopathic Examiner's Revolving
Fund; conforming language; amending 59 O.S. 2021,
Section 645, which relates to rules; authorizing and
requiring promulgation of certain rules; updating
statutory language and references; repealing 59 O.S.
2021, Section 631, which relates to definition;
providing for codification; and declaring an
emergency.

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

1 SECTION 1. AMENDATORY 59 O.S. 2021, Section 621, is

2 amended to read as follows:

3 Section 621. As used in the Oklahoma Osteopathic Medicine Act:

4 1. "Board" means the State Board of Osteopathic Examiners;

5 2. "Osteopathic medicine" means a patient-centered system of
6 health care founded by Andrew Taylor Still, M.D., D.O., and based on
7 the theory that the body is capable of making its own remedies
8 against disease and other toxic conditions when it is in normal
9 structural relationship and has favorable environmental conditions
10 and adequate nutrition. Osteopathic medicine emphasizes prevention
11 and wellness and utilizes generally accepted physical,
12 pharmacological and surgical methods of diagnosis and therapy while
13 placing strong emphasis on the importance of body mechanics and
14 manipulative methods to detect and correct faulty structure and
15 function;

16 3. "Osteopathic physician" means a person who is licensed to
17 practice osteopathic medicine in this state; and

18 4. "School of osteopathic medicine" or "college of osteopathic
19 medicine" means a legally chartered school or college accredited by
20 the Commission on Osteopathic College Accreditation requiring:

21 a. for admission to its courses of study, a preliminary
22 education equal to the requirements established by the
23 Bureau of Professional Education of the American
24 Osteopathic Association, and

1 b. for granting the D.O. degree, Doctor of Osteopathic
2 Medicine, actual attendance at such osteopathic school
3 or college and demonstration of successful completion
4 of the curriculum and recommendation for graduation.

5 SECTION 2. AMENDATORY 59 O.S. 2021, Section 622, is
6 amended to read as follows:

7 Section 622. A. 1. Except as otherwise provided by this
8 section, it shall be unlawful for any person to practice as an
9 osteopathic physician and surgeon in this state, without a license
10 to do so, issued by the State Board of Osteopathic Examiners;
11 provided, that any license or certificate issued under the laws of
12 this state, authorizing its holder to practice osteopathic medicine,
13 shall remain in full force and effect. Persons who hold themselves
14 out as osteopathic physicians in this state without a license issued
15 by the State Board of Osteopathic Examiners submit themselves to the
16 jurisdiction of the State Board of Osteopathic Examiners.

17 2. Osteopathic physicians engaged in postgraduate training
18 ~~beyond the internship year, also known as PGY-1,~~ shall be licensed.
19 Osteopathic physicians engaged in the internship or PGY-1 year ~~may~~
20 ~~be eligible for~~ shall be issued a resident training license and all
21 other postgraduate students shall be issued an advanced resident
22 training license.

23 3. ~~Osteopathic physicians engaged in interventional pain~~
24 ~~management pursuant to the Oklahoma Interventional Pain Management~~

1 ~~and Treatment Act shall be licensed by the State Board of~~
2 ~~Osteopathic Examiners.~~

3 B. 1. A person within or outside of this state who performs
4 through electronic communications diagnostic or treatment services
5 or other medical services within the scope of practice of an
6 osteopathic physician and surgeon, ~~including but not limited to,~~
7 ~~stroke prevention and treatment,~~ for any patient whose condition is
8 being diagnosed or treated within this state shall be licensed in
9 this state, pursuant to the provisions of the Oklahoma Osteopathic
10 Medicine Act. However, in such cases, a nonresident osteopathic
11 physician who, while located outside this state, consults on an
12 irregular basis with a physician who is located in this state is not
13 required to be licensed in this state.

14 2. Any osteopathic physician ~~licensed in this state~~ who engages
15 in the practice of medicine or the prescription of drugs, devices,
16 or treatments via electronic means may do so only in the context of
17 an appropriate physician/patient relationship wherein a proper
18 patient record is maintained including, at the minimum, a current
19 history and physical.

20 3. Any commissioned medical officer of the armed forces of the
21 United States or medical officer of the United States Public Health
22 Service or the Veterans Administration of the United States, in the
23 discharge of official duties ~~and/or~~ whose practice is confined
24 entirely within federally controlled facilities, who is fully

1 licensed to practice osteopathic medicine and surgery in one or more
2 jurisdictions of the United States shall not be required to be
3 licensed in this state pursuant to the Oklahoma Osteopathic Medicine
4 Act, unless the person already holds an osteopathic medical license
5 in this state pursuant to the Oklahoma Osteopathic Medicine Act. In
6 such case, the medical officer shall be subject to the Oklahoma
7 Osteopathic Medicine Act.

8 4. A person who performs any of the functions covered by this
9 subsection submits themselves to the jurisdiction of the courts of
10 this state for the purposes of any cause of action resulting from
11 the functions performed.

12 C. A hospital, as defined in Section 1-701 of Title 63 of the
13 Oklahoma Statutes, or a related institution, ~~as such terms are~~
14 ~~defined in Section 1-701 of Title 63 of the Oklahoma Statutes,~~ which
15 has the principal purpose or function of providing hospital or
16 medical care, including but not limited to any corporation,
17 association, trust, or other organization organized and operated for
18 such purpose, may employ one or more persons who are duly licensed
19 to practice osteopathic medicine in this state without being
20 regarded as itself practicing osteopathic medicine within the
21 meaning and provisions of this section. The employment by the
22 hospital or related institution of any person who is duly licensed
23 shall not, in and of itself, be considered as an act of
24 unprofessional conduct by the person so employed. Nothing provided

1 herein shall eliminate, limit or restrict the liability for any act
2 or failure to act of any hospital, any hospital's employees or
3 persons duly licensed to practice osteopathic medicine.

4 D. Nothing in the Oklahoma Osteopathic Medicine Act shall be
5 construed as to require an osteopathic physician to secure an
6 Osteopathic Continuous Certification (OCC) as a condition of
7 licensure, reimbursement, employment or admitting privileges at a
8 hospital in this state. For the purposes of this subsection,
9 "Osteopathic Continuous Certification (OCC)" shall mean a continuing
10 education program measuring core competencies in the practice of
11 medicine and surgery and approved by a nationally-recognized
12 accrediting organization.

13 SECTION 3. AMENDATORY 59 O.S. 2021, Section 624, as
14 amended by Section 1, Chapter 190, O.S.L. 2024 (59 O.S. Supp. 2024,
15 Section 624), is amended to read as follows:

16 Section 624. A. There is hereby ~~re-created~~ created the State
17 Board of Osteopathic Examiners.

18 B. The State Board of Osteopathic Examiners shall consist of
19 eight (8) examiners appointed by the Governor, two of whom ~~shall~~ may
20 be lay persons. The remaining examiners shall be regularly licensed
21 osteopathic physicians in good standing in this state who have been
22 so engaged for a period of at least five (5) years immediately prior
23 to their appointment. The osteopathic physician examiners shall be
24 appointed by the Governor from a list of not less than six names

1 submitted to the Governor by the Oklahoma Osteopathic Association
2 annually, and any present member of the Board of Examiners shall be
3 appointed to fill out the unexpired term. All appointments made to
4 the Board shall be for terms of seven (7) years. In the event of a
5 vacancy brought about for any reason, the post so vacated shall be
6 filled from a list of not less than six names submitted by the
7 Oklahoma Osteopathic Association.

8 C. The mission of the Board shall be to:

9 1. Safeguard public health by ensuring the highest standards of
10 osteopathic medical practice and ethical standards;

11 2. Uphold the integrity of the profession through continuing
12 education, diligent licensing and regulation, and continuous
13 oversight of osteopathic physicians and surgeons; and

14 3. Promote the principles of osteopathic medicine, enhance the
15 access and quality of patient care particularly in rural and
16 underserved areas, and protect the residents of this state through
17 effective governance, sound public policy, and enforcement of
18 ethical and professional standards.

19 D. The Board shall ~~have and use a common seal,~~ and make and
20 adopt all necessary rules relating to the enforcement of the
21 provisions of the Oklahoma Osteopathic Medicine Act. Each Board
22 member shall receive the daily per diem rate for state employees.
23 Travel expenses allowed under the State Travel Reimbursement Act
24 shall also be provided to Board members traveling more than fifty
25

1 (50) miles to the location of all regular and special Board
2 meetings.

3 E. A majority of the members of the Board shall constitute a
4 quorum for the transaction of business.

5 SECTION 4. AMENDATORY 59 O.S. 2021, Section 625, is
6 amended to read as follows:

7 Section 625. Each member of ~~said Board~~ the State Board of
8 Osteopathic Examiners shall, before entering upon the duties of the
9 office, take the oath of office prescribed by the Constitution
10 before someone qualified to administer oaths, ~~and shall, except for~~
11 ~~the lay person, make oath that the member is a legally qualified~~
12 ~~practitioner of osteopathic medicine in this state; and that the~~
13 ~~member has been engaged in the active practice of osteopathic~~
14 ~~medicine in this state at least five (5) years preceding the~~
15 ~~appointment of such member.~~

16 SECTION 5. AMENDATORY 59 O.S. 2021, Section 626, is
17 amended to read as follows:

18 Section 626. A. 1. The State Board of Osteopathic Examiners
19 shall, immediately after the members have qualified, elect a
20 president, vice-president and ~~secretary-treasurer~~ secretary.

21 2. The president of said Board shall preside at all meetings of
22 the Board and perform such other duties as the Board by its rule may
23 prescribe.

1 3. The vice-president shall perform all the duties of the
2 president, during the president's absence or disability.

3 4. The ~~secretary-treasurer~~ secretary shall ~~keep~~ ensure a record
4 is kept of all proceedings of the Board and perform such other
5 duties as are prescribed in the Oklahoma Osteopathic Medicine Act,
6 or which may be prescribed by said Board. ~~It shall be the duty of~~
7 ~~the secretary-treasurer to receive and care for all monies coming~~
8 ~~into the hands of said Board, and to pay out the same upon orders of~~
9 ~~the Board.~~

10 B. The ~~State~~ Board and such employees as determined by the
11 Board shall be bonded as required by Sections 85.26 through 85.31 of
12 Title 74 of the Oklahoma Statutes.

13 C. The ~~State~~ Board may expend such funds as are necessary in
14 implementing the duties of the Board. The Board may hire:

15 1. An executive director ~~and,~~ who may hire all necessary
16 administrative, clerical and stenographic assistance as the Board
17 shall deem necessary ~~at a salary to be fixed by the Board~~ and
18 consistent with a budget to be fixed by the Board;

19 2. An attorney, ~~on a case by case basis,~~ to represent the Board
20 in legal matters and to assist authorized state and county officers
21 in prosecuting or restraining violations of the provisions of the
22 Oklahoma Osteopathic Medicine Act. ~~The Board shall fix the~~
23 ~~compensation of said attorney;~~ and

1 3. One or more investigators, at least one of whom shall be
2 certified by the Council on Law Enforcement Education and Training
3 as a peace officer, as may be necessary to implement the provisions
4 of the Oklahoma Osteopathic Medicine Act ~~at an annual salary to be~~
5 ~~fixed by the Board, and may authorize necessary expenses.~~ In
6 addition, the investigators may investigate and inspect, through use
7 of a Board subpoena, the nonfinancial business records of all
8 persons licensed pursuant to the Oklahoma Osteopathic Medicine Act
9 in order to determine whether or not licensees are in compliance
10 with the Oklahoma Osteopathic Medicine Act and the Uniform
11 Controlled Dangerous Substances Act or any other law, rule of the
12 State of Oklahoma or any federal law or rule affecting the practice
13 of osteopathic medicine.

14 D. Any licensee or applicant for license subject to the
15 provisions of the Oklahoma Osteopathic Medicine Act shall be deemed
16 to have given consent ~~to~~ after presented with a Board subpoena by
17 any duly authorized employee or agent of the Board to access, enter,
18 or inspect the records, either on-site or at the Board office, or
19 facilities of such licensee or applicant subject to the Oklahoma
20 Osteopathic Medicine Act. ~~Refusal~~ Unless the Board subpoena is
21 legally challenged, refusal to allow such access, entry, or
22 inspection may constitute grounds for the denial, nonrenewal,
23 suspension, or revocation of a license. Upon refusal of such
24 access, entry, or inspection, pursuant to this section, the Board or

1 a duly authorized representative may make application ~~for and to~~
2 enforce the Board subpoena or to obtain a search warrant from the
3 district court where the facility or records are located to allow
4 such access, entry, or inspection.

5 SECTION 6. AMENDATORY 59 O.S. 2021, Section 627, is
6 amended to read as follows:

7 Section 627. A. The State Board of Osteopathic Examiners shall
8 preserve a record of its proceedings which shall be kept
9 electronically and open to public inspection at all reasonable
10 times, showing:.

11 B. The official register of licensed physicians available to
12 the public shall include:

13 1. The name, ~~age~~ gender, license type, license status, and
14 place of ~~residence~~ practice of each ~~applicant~~ licensee;

15 2. The ~~time spent in the study of osteopathic medicine;~~

16 3. ~~The year and school from which degrees were granted;~~

17 4. ~~Its proceeding relative to the issuance, refusal, renewal,~~
18 ~~suspension, or revocation of licenses applied for, and issued~~
19 ~~pursuant to the Oklahoma Osteopathic Medicine Act; and~~

20 5. ~~The name, known place of business and residence, and the~~
21 ~~date and number of license of each registered osteopathic physician~~
22 ~~and surgeon~~ practice specialty of each licensee and indication of
23 whether the licensee is board certified in such specialty; and

1 3. Whether the licensee has had disciplinary action taken on
2 his or her Oklahoma license.

3 The register shall be prima facie evidence of all matters
4 contained therein.

5 ~~B. The secretary of said Board shall on the first of March of~~
6 ~~each year submit an official copy of said register to the Secretary~~
7 ~~of State for permanent record. A certified copy of said register,~~
8 ~~or any part thereof, with the hand and seal of the secretary of said~~
9 ~~State Board of Osteopathic Examiners, or the Secretary of State,~~
10 ~~shall be admitted in evidence in all courts of the state.~~

11 ~~C. It~~ To ensure the accuracy of Board records, it shall be the
12 responsibility of each osteopathic physician licensed under ~~this act~~
13 the Oklahoma Osteopathic Medicine Act to ~~provide~~ notify the Board
14 ~~with a notice of any change of address within fourteen (14) business~~
15 ~~days after any relocation of practice activity~~ to the physician's
16 registry information.

17 SECTION 7. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 628.1 of Title 59, unless there
19 is created a duplication in numbering, reads as follows:

20 The State Board of Osteopathic Examiners shall have the power
21 to:

- 22 1. Adopt and prescribe the use of a common seal;
23 2. Hold regular meetings at times to be fixed by the president
24 of the Board in accordance with the provisions of the Oklahoma Open
25

1 Meeting Act. In addition, the president may call such special and
2 other meetings in accordance with the provisions of the Oklahoma
3 Open Meeting Act;

4 3. Promulgate rules necessary, expedient, or appropriate to the
5 governance, performance, enforcement, or carrying out of any of the
6 purposes, objectives, or provisions of the Oklahoma Osteopathic
7 Medicine Act or to promulgate rules regarding the professional
8 standards of the practice of osteopathic medicine;

9 4. Initiate and prosecute administrative, civil, or criminal
10 actions and proceedings necessary under the Oklahoma Osteopathic
11 Medicine Act;

12 5. Appoint authorized agents to make inspections or
13 investigations and to perform other services for the Board;

14 6. Sell, exchange, or dispose of property as provided by state
15 law;

16 7. Have jurisdiction over all matters affecting the practice of
17 osteopathic medicine, and shall have continuing jurisdiction to
18 reopen any actions taken by the Board;

19 8. Institute collection proceedings against licensees,
20 applicants, and other entities under its jurisdiction. This
21 authority includes the right to impose penalties for nonpayment;

22 9. Employ, appoint, or contract and fix the duties and
23 compensation of the executive director and other personnel, either
24

1 on full-time, part-time, or contractual basis, as deemed necessary
2 by the Board;

3 10. Fix the qualifications of the personnel at the Board;

4 11. Accept and use grants of money and other property from any
5 source;

6 12. Advise, consult, cooperate, and enter into agreements or
7 contracts;

8 13. Revoke, suspend, or deny any license, permit, or charter
9 issued by the Board if the Board finds any violation of the Oklahoma
10 Osteopathic Medicine Act or any rule promulgated by the Board;

11 14. Prescribe forms of application, certification, licenses,
12 charters, permits, and other forms as may be necessary to carry out
13 the provisions of the Oklahoma Osteopathic Medicine Act;

14 15. Set renewal dates for any licenses, permits, or
15 certificates issued by the Board by notifying licensees in writing
16 of the expiration and renewal date being assigned to the licensee
17 and permittee and by making an appropriate adjustment in the fee
18 charged for the license, permit, or certificate;

19 16. Establish and collect fees for licenses, permits, charters,
20 certificates, and services provided. The fees shall be promulgated
21 in accordance with the Administrative Procedures Act and shall be
22 fair and equitable to all parties concerned;

23 17. Adopt official professional standards of conduct;

1 18. Apply to the district court for a temporary or permanent
2 injunction or any other remedy restraining any person from violating
3 the Oklahoma Osteopathic Medicine Act;

4 19. Increase its efforts to ensure the safety and well-being of
5 patients through administration of continuing education programs;

6 20. Establish agency special accounts through the Office of
7 Management and Enterprise Services and the Office of the State
8 Treasurer as necessary for the collection and distribution of funds,
9 including funds of sponsors and registration fees related to
10 conferences, meetings, and continuing education and resident
11 physician training; and

12 21. Exercise all incidental powers which are necessary and
13 proper to implement and administer the purposes of the Oklahoma
14 Osteopathic Medicine Act.

15 SECTION 8. AMENDATORY 59 O.S. 2021, Section 632, is
16 amended to read as follows:

17 Section 632. A. The examination of those who desire to
18 practice as osteopathic physicians shall embrace those general
19 subjects and topics, a knowledge of which is commonly and generally
20 required of candidates for a D.O. degree, ~~Doctor of Osteopathy or~~
21 ~~Doctor of Osteopathic Medicine,~~ by accredited osteopathic colleges
22 in the United States. ~~An examination furnished by the National~~
23 ~~Board of Osteopathic Medical Examiners shall be deemed to fulfill~~
24 ~~this requirement.~~

1 B. The applicant may be accepted who has successfully completed
2 the examination sequence of the National Board of Osteopathic
3 Medical Examiners and meets all other requirements as prescribed by
4 the State Board of Osteopathic Examiners through rule.

5 C. The State Board of Osteopathic Examiners shall have
6 exclusive power and authority to determine the qualifications and
7 fitness of all applicants for admission to practice osteopathic
8 medicine in this state. The Board shall require that each applicant
9 submit to a national criminal history record check as defined in
10 Section 150.9 of Title 74 of the Oklahoma Statutes. The Board shall
11 not disseminate criminal history record information resulting from
12 the background check ~~outside of this state.~~

13 D. 1. The Board is authorized to obtain a national criminal
14 history background check on physician applicants seeking a letter of
15 qualification for purposes of registration for expedited licensure
16 through the Interstate Medical Licensure Compact pursuant to Section
17 493.7 of this title.

18 2. Oklahoma physician applicants seeking a letter of
19 qualification under the Compact shall be fingerprinted for the
20 national criminal history background check. Applicant fingerprints
21 shall be submitted to the Oklahoma State Bureau of Investigation and
22 the national criminal history background check shall be conducted in
23 accordance with Section 150.9 of Title 74 of the Oklahoma Statutes.

1 The Bureau shall return national criminal history results to the
2 Board.

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

8 4. This subsection shall only apply to Oklahoma physician
9 applicants seeking an expedited license under the Compact.

10 SECTION 9. AMENDATORY 59 O.S. 2021, Section 633, as
11 amended by Section 5, Chapter 262, O.S.L. 2022 (59 O.S. Supp. 2024,
12 Section 633), is amended to read as follows:

13 Section 633. A. Each applicant who has met all requirements
14 for licensure shall be issued a license to practice as an
15 osteopathic physician and surgeon. Upon application, the State
16 Board of Osteopathic Examiners may also issue special licenses,
17 permits, warrants, and certificates including, but not limited to,

18 a:

- 19 1. ~~Temporary License~~ license;
- 20 2. ~~Resident Training License~~ training license;
- 21 3. ~~Telemedicine License;~~
- 22 4. ~~Military Spouse License; or~~ Advanced resident training
23 license;

- 24 4. Full unrestricted or advanced resident training license; or

1 5. Temporary critical need license under ~~Section 1 of this act~~
2 Section 6011 of this title.

3 B. The Board shall, through rule, establish restrictions for
4 special licenses including, but not limited to, training licenses,
5 to ensure that the holder practices only under appropriate
6 circumstances as set by the Board.

7 SECTION 10. AMENDATORY 59 O.S. 2021, Section 634, is
8 amended to read as follows:

9 Section 634. The State Board of Osteopathic Examiners may issue
10 a license ~~without examination~~ to a practitioner who is currently
11 licensed in any country, state, territory or province, upon the
12 following conditions:

13 1. That the requirements of registration in the country, state,
14 territory or province in which the applicant is licensed are deemed
15 by the State Board to have been equivalent to the requirements of
16 registration in force in this state at the date of such license;

17 2. That the applicant has no disciplinary matters pending
18 against him in any country, state, territory or province; and

19 3. That the license being reciprocated must have been obtained
20 by an examination in that country, state, territory or province
21 deemed by the Board to be equivalent to that used by the Board, or
22 obtained by examination of the National Board of Osteopathic Medical
23 Examiners.

1 SECTION 11. AMENDATORY 59 O.S. 2021, Section 635.1, is
2 amended to read as follows:

3 Section 635.1. A. There is established a special volunteer
4 medical license for physicians who are retired from active practice
5 and wish to donate their expertise for the medical care and
6 treatment of indigent and needy persons of the state. The special
7 volunteer medical license ~~shall~~ may be:

8 1. Issued by the State Board of Osteopathic Examiners to
9 eligible physicians;

10 2. Issued without a payment of an application fee, license fee
11 or renewal fee;

12 3. ~~Issued or renewed without any continuing education~~
13 ~~requirements;~~

14 ~~4.~~ Issued for a fiscal year or part thereof; and

15 ~~5.~~ 4. Renewable annually upon approval of the Board.

16 B. A physician must meet the following requirements to be
17 eligible for a special volunteer medical license:

18 1. Completion of a special volunteer medical license
19 application, including documentation of the physician's osteopathic
20 school graduation and practice history;

21 2. Documentation that the physician has been previously issued
22 a full and unrestricted license to practice medicine in Oklahoma or
23 in another state of the United States and that he or she has never
24

1 been the subject of any medical disciplinary action in any
2 jurisdiction;

3 3. Acknowledgement and documentation that the physician's
4 practice under the special volunteer medical license will be
5 exclusively and totally devoted to providing medical care to needy
6 and indigent persons in Oklahoma or to providing care under the
7 Oklahoma Medical Reserve Corps; and

8 4. Acknowledgement and documentation that the physician will
9 not receive or have the expectation to receive any payment or
10 compensation, either direct or indirect, for any medical services
11 rendered under the special volunteer medical license.

12 SECTION 12. AMENDATORY 59 O.S. 2021, Section 635.3, is
13 amended to read as follows:

14 Section 635.3. A. There is established in this state a
15 resident training license for medical school graduates ~~during their~~
16 ~~internship or first postgraduate year (PGY-1)~~. The resident
17 training license shall be:

18 1. Issued by the State Board of Osteopathic Examiners to
19 eligible physicians;

20 2. Issued without any continuing education requirements; and

21 3. Issued for no more than one (1) year; ~~and~~

22 4. ~~Nonrenewable unless renewal is specifically approved by the~~
23 ~~State Board of Osteopathic Examiners.~~

1 B. If the physician's resident training program specifically
2 approves the resident to have prescribing authority, the resident
3 training license shall permit the physician to apply for prescribing
4 privileges from state or federal authorities.

5 C. The resident training license shall not permit:

6 1. The physician to practice medicine beyond the scope allowed
7 by the physician's training program; or

8 2. The licensee to practice independent of the residency
9 program~~+~~.

10 D. The resident training license is ~~not~~ a prerequisite to
11 participation in any ~~internship or PGY-1~~ training program.

12 E. Any person holding a resident training license is not
13 guaranteed subsequent full or advanced resident licensure in
14 ~~Oklahoma~~ this state as an osteopathic physician.

15 F. Any application for full licensure shall be adjudged by the
16 Board on its own merits including training, education and personal
17 background.

18 G. A physician shall meet the following requirements to be
19 eligible for a resident training license:

20 1. Completion of a resident training license application;

21 2. Payment of the application fee; and

22 3. Documentation from the applicant's Oklahoma training program
23 recommending the physician and stating the applicant meets all the
24 requirements for such licensure.

1 SECTION 13. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 635.4 of Title 59, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The State Board of Osteopathic Examiners may issue an
5 osteopathic faculty license without examination to an individual who
6 remits an electronic application and fee, as set by the Board, who:

7 1. Demonstrates to the Board that he or she is currently
8 licensed to practice osteopathic medicine in another jurisdiction in
9 the United States;

10 2. Demonstrates to the Board that he or she is a graduate of an
11 accredited school of osteopathic medicine; and

12 3. Has completed the requirements of general licensure as
13 defined by the Board.

14 B. The license shall authorize the holder to practice only in
15 conjunction with his or her teaching duties at an accredited school
16 of osteopathic medicine or in its affiliated teaching hospitals or
17 clinics.

18 C. Such license shall automatically expire upon termination of
19 the holder's relationship with the school or after a period of
20 twenty-four (24) months, whichever occurs first.

21 SECTION 14. AMENDATORY 59 O.S. 2021, Section 637, as
22 amended by Section 5, Chapter 150, O.S.L. 2023 (59 O.S. Supp. 2024,
23 Section 637), is amended to read as follows:

1 Section 637. A. The State Board of Osteopathic Examiners may
2 institute disciplinary action, enforce sanctions, or refuse to admit
3 a person to an examination or may refuse to issue or reinstate or
4 may suspend or revoke any license issued or reinstated by the Board
5 upon proof that the applicant or holder of such a license:

6 1. Has obtained a license, license renewal or authorization to
7 sit for an examination, as the case may be, through fraud,
8 deception, misrepresentation or bribery; or has been granted a
9 license, license renewal or authorization to sit for an examination
10 based upon a material mistake of fact;

11 2. Has engaged in the use or employment of dishonesty, fraud,
12 misrepresentation, false promise, false pretense, unethical conduct
13 or unprofessional conduct, as may be determined by the Board, in the
14 performance of the functions or duties of an osteopathic physician,
15 including but not limited to the following:

- 16 a. obtaining or attempting to obtain any fee, charge,
17 tuition or other compensation by fraud, deception or
18 misrepresentation; willfully and continually
19 overcharging or overtreating patients; or charging for
20 visits to the physician's office which did not occur
21 or for services which were not rendered,
- 22 b. using intimidation, coercion or deception to obtain or
23 retain a patient or discourage the use of a second
24 opinion or consultation,

- 1 c. willfully performing inappropriate or unnecessary
2 treatment, diagnostic tests or osteopathic medical or
3 surgical services,
- 4 d. delegating professional responsibilities to a person
5 who is not qualified by training, skill, competency,
6 age, experience or licensure to perform them, noting
7 that delegation may only occur within an appropriate
8 doctor-patient relationship, wherein a proper patient
9 record is maintained including, but not limited to, at
10 the minimum, a current history and physical,
- 11 e. misrepresenting that any disease, ailment, or
12 infirmity can be cured by a method, procedure,
13 treatment, medicine or device,
- 14 f. acting in a manner which results in final disciplinary
15 action by any professional society or association or
16 hospital or medical staff of such hospital in this or
17 any other state, whether agreed to voluntarily or not,
18 if the action was in any way related to professional
19 conduct, professional competence, malpractice or any
20 other violation of the Oklahoma Osteopathic Medicine
21 Act,
- 22 g. signing a blank prescription form; or dispensing,
23 prescribing, administering or otherwise distributing
24 any drug, controlled substance or other treatment

1 without sufficient examination or the establishment of
2 a physician-patient relationship, or for other than
3 medically accepted therapeutic or experimental or
4 investigational purpose duly authorized by a state or
5 federal agency, or not in good faith to relieve pain
6 and suffering, or not to treat an ailment, physical
7 infirmity or disease, or violating any state or
8 federal law on controlled dangerous substances
9 including, but not limited to, prescribing, dispensing
10 or administering opioid drugs in excess of the maximum
11 limits authorized in Section 2-309I of Title 63 of the
12 Oklahoma Statutes,

13 h. engaging in any sexual activity within a physician-
14 patient relationship,

15 i. terminating the care of a patient without adequate
16 notice or without making other arrangements for the
17 continued care of the patient,

18 j. failing to furnish a copy of a patient's medical
19 records upon a proper request from the patient or
20 legal agent of the patient or another physician; or
21 failing to comply with any other law relating to
22 medical records,

23 k. failing to comply with any subpoena issued by the
24 Board,

1 1. violating a probation agreement or order with this
2 Board or any other agency, and

3 m. failing to keep complete and accurate records of
4 purchase and disposal of controlled drugs or narcotic
5 drugs;

6 3. Has engaged in gross negligence, gross malpractice or gross
7 incompetence;

8 4. Has engaged in repeated acts of negligence, malpractice or
9 incompetence;

10 5. Has been finally adjudicated and found guilty, or entered a
11 plea of guilty or nolo contendere in a criminal prosecution, for any
12 offense reasonably related to the qualifications, functions or
13 duties of an osteopathic physician, whether or not sentence is
14 imposed, and regardless of the pendency of an appeal;

15 6. Has had the authority to engage in the activities regulated
16 by the Board revoked, suspended, restricted, modified or limited, or
17 has been reprimanded, warned or censured, probated or otherwise
18 disciplined by any other state or federal agency whether or not
19 voluntarily agreed to by the physician including, but not limited
20 to, the denial of licensure, surrender of the license, permit or
21 authority, allowing the license, permit or authority to expire or
22 lapse, or discontinuing or limiting the practice of osteopathic
23 medicine pending disposition of a complaint or completion of an
24 investigation;

1 7. Has violated or failed to comply with provisions of any act
2 or regulation administered by the Board;

3 8. Is incapable, for medical or psychiatric or any other good
4 cause, of discharging the functions of an osteopathic physician in a
5 manner consistent with the public's health, safety and welfare;

6 9. Has been guilty of advertising by means of knowingly false
7 or deceptive statements;

8 10. Has been guilty of advertising, practicing, or attempting
9 to practice under a name other than one's own;

10 11. Has violated or refused to comply with a lawful order of
11 the Board;

12 12. Has been guilty of habitual drunkenness, or habitual
13 addiction to the use of morphine, cocaine or other habit-forming
14 drugs;

15 13. Has been guilty of personal offensive behavior, which would
16 include, but not be limited to, obscenity, lewdness, and
17 molestation;

18 14. Has performed an abortion as defined by Section 1-730 of
19 Title 63 of the Oklahoma Statutes, except for an abortion necessary
20 to prevent the death of the mother or to prevent substantial or
21 irreversible physical impairment of the mother that substantially
22 increases the risk of death. The performance of an abortion on the
23 basis of the mental or emotional health of the mother shall be a
24 violation of this paragraph, notwithstanding a claim or diagnosis

1 that the woman may engage in conduct which she intends to result in
2 her death. The Board shall impose a penalty as provided in this
3 section and in Section 637.1 of this title on a licensee who
4 violates this paragraph. The penalty shall include, but not be
5 limited to, suspension of the license for a period not less than one
6 (1) year;

7 15. Has been adjudicated to be insane, or incompetent, or
8 admitted to an institution for the treatment of psychiatric
9 disorders; ~~or~~

10 16. Has knowingly provided gender transition procedures as
11 defined in ~~Section 1 of this act~~ Section 2607.1 of Title 63 of the
12 Oklahoma Statutes to a child;

13 17. Has violated any of the provisions of the Oklahoma Pharmacy
14 Act, which shall be punishable by appropriate actions established in
15 rules promulgated by the Board; or

16 18. Has breached the American Osteopathic Association Code of
17 Ethics or the Osteopathic Oath.

18 B. The Board may enter an order denying licensure or imposing
19 any of the penalties as prescribed by rule against any applicant for
20 licensure or licensee who is found guilty of violating any provision
21 of subsection A of this section. In determining what action is
22 appropriate, the Board shall first consider what sanctions are
23 necessary to protect the public or to compensate the patient. Only
24 after those sanctions have been imposed may the Board consider and

1 include in the order requirements designed to rehabilitate the
2 physician. All costs associated with compliance with orders issued
3 under this subsection shall be the obligation of the physician.

4 C. In any administrative action against a physician which does
5 not involve revocation or suspension of a license, the Board shall
6 have the burden, by the greater weight of the evidence, to establish
7 the existence of grounds for disciplinary action. The Board shall
8 establish grounds for revocation or suspension of license by clear
9 and convincing evidence.

10 D. The Board shall not reinstate the license or certificate of
11 an osteopathic physician, or cause a license or certificate to be
12 issued to a person it has deemed unqualified, until such time as it
13 is satisfied that he or she has complied with all the terms and
14 conditions set forth in the final order and that such person is
15 capable of safely engaging in the practice of osteopathic medicine.
16 However, the Board shall not issue a license to, or reinstate the
17 license of, any osteopathic physician found by the Board to have
18 committed repeated medical malpractice, regardless of the extent to
19 which the licensee or prospective licensee has complied with all
20 terms and conditions set forth in the final order or is capable of
21 safely engaging in the practice of osteopathic medicine.

22 E. The State Board of Osteopathic Examiners shall neither
23 refuse to renew, nor suspend, nor revoke any license, however, for
24 any of these causes, unless the person accused has been given at

1 least twenty (20) days' notice in writing of the charge against him
2 or her and a public hearing by the Board; provided, three-fourths
3 (3/4) of a quorum present at a meeting may vote to suspend a license
4 in an emergency situation if the licensee affected is provided a
5 public hearing within thirty (30) days of the emergency suspension.

6 ~~C.~~ F. The State Board of Osteopathic Examiners shall have the
7 power to order or subpoena the attendance of witnesses, the
8 inspection of records and premises and the production of relevant
9 books and papers for the investigation of matters that may come
10 before them. The presiding officer of the Board or his or her
11 designee shall have the authority to compel the giving of testimony
12 as is conferred on courts of justice.

13 ~~D.~~ G. Any osteopathic physician in this state whose license to
14 practice osteopathic medicine is revoked or suspended under this
15 section shall have the right to seek judicial review of a ruling of
16 the Board pursuant to the Administrative Procedures Act.

17 ~~E.~~ H. The Board may enact rules ~~and regulations pursuant to the~~
18 ~~Administrative Procedures Act setting out additional acts of~~
19 ~~unprofessional conduct, which acts shall be grounds for refusal to~~
20 ~~issue or reinstate, or for action to condition, suspend or revoke a~~
21 ~~license~~ necessary or appropriate to the performance, enforcement, or
22 carrying out of any of the purposes, objectives, or provisions of
23 this section.

1 SECTION 15. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 637.2 of Title 59, unless there
3 is created a duplication in numbering, reads as follows:

4 A. At any time after the State Board of Osteopathic Examiners
5 has revoked or suspended the license to practice osteopathic
6 medicine or surgery of any person, the Board, upon its own motion
7 and of its own authority and right, may reconsider such order and
8 decision for any reason deemed by it to be sufficient and may, in
9 its discretion, reinstate the license of such person.

10 B. At any time after the expiration of twelve (12) months from
11 the date the license of any person to practice osteopathic medicine
12 or surgery has been revoked with the right to reapply, or at any
13 time after the expiration of six (6) months from the date the
14 license of any person to practice osteopathic medicine or surgery
15 has been suspended by the Board, such person whose license has been
16 so revoked or suspended may file an application with the executive
17 director of the Board, together with an application fee set by the
18 Board, to reinstate the license. The Board may further prescribe
19 through rule a process in which an application to reinstate may be
20 pursued.

21 SECTION 16. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 637.3 of Title 59, unless there
23 is created a duplication in numbering, reads as follows:

1 A. The State Board of Osteopathic Examiners is hereby given
2 quasi-judicial powers while sitting as a Board for the purpose of
3 revoking, suspending, or imposing other disciplinary actions upon
4 the license of osteopathic physicians or surgeons of this state.

5 B. To the extent necessary to allow the Board the power to
6 enforce disciplinary actions imposed by the Board, in the exercise
7 of its authority, the Board may punish willful violations of its
8 orders and impose additional penalties as allowed by Section 638 of
9 Title 59 of the Oklahoma Statutes.

10 SECTION 17. AMENDATORY 59 O.S. 2021, Section 641, is
11 amended to read as follows:

12 Section 641. A. All persons legally licensed to practice
13 osteopathic medicine in this state, on or before the first day of
14 July of each year, shall apply to ~~the secretary-treasurer~~ of the
15 Board, on forms furnished thereby, for a renewal certificate of
16 registration entitling such licensee to practice osteopathic
17 medicine and surgery in Oklahoma during the next ensuing fiscal
18 year.

19 B. The State Board of Osteopathic Examiners may prescribe
20 through rule the necessary information required relevant to a
21 licensee's professional activity including, but not limited to:

22 1. Any action taken against the licensee for acts or conduct
23 similar to acts or conduct described in the Oklahoma Osteopathic
24 Medicine Act as grounds for disciplinary action;

1 2. Any adverse judgement, settlement, or award against the
2 licensee arising from a professional liability claim;

3 3. The licensee's voluntary surrender of or voluntary
4 limitation on any license or authorization to practice medicine and
5 surgery in any jurisdiction including military, public health, and
6 foreign;

7 4. Any denial to the licensee of a license or authorization to
8 practice medicine and surgery by any jurisdiction including
9 military, public health, or foreign;

10 5. The licensee's voluntary resignation from the medical staff
11 of any health care institution or voluntary limitation of the
12 licensee's staff privileges at such an institution if that action
13 occurred while the licensee was under formal or informal
14 investigation by the institution or a committee thereof for any
15 reason related to alleged medical incompetence, unprofessional
16 conduct, or mental or physical impairment;

17 6. The licensee's voluntary resignation or withdrawal from a
18 national, state, or county medical society, association, or
19 organization if that action occurred while the licensee was under
20 formal or informal investigation or review by that body for any
21 reason related to possible medical incompetence, unprofessional or
22 unethical conduct, or mental or physical impairment;

23 7. Whether the licensee has had any health conditions that may
24 affect his or her ability to practice safely. Disclosures shall

1 focus on current impairments that directly affect clinical
2 competence or adversely affect ability to practice medicine in a
3 competent, ethical, and professional manner, not on past or managed
4 health conditions that do not impair professional duties; and

5 8. The licensee's completion of continuing medical education or
6 other forms of professional maintenance or evaluation, including
7 specialty board certification or recertification, during the
8 previous registration period.

9 C. 1. Each application shall be accompanied by a renewal fee
10 in an amount sufficient to cover the cost and expense incurred by
11 the State Board of Osteopathic Examiners, for a renewal of the
12 person's certificate to practice osteopathic medicine.

13 2. The Board may provide for the late renewal of a license upon
14 payment of a late fee in accordance with Board rules.

15 ~~C.~~ D. 1. In addition to the payment of the annual renewal fee
16 each licensee applying for a renewal of the certificate shall
17 furnish to the State Board of Osteopathic Examiners proof that the
18 person has attended at least two (2) days of the annual educational
19 program conducted by the Oklahoma Osteopathic Association, or its
20 equivalent, as determined by the Board, in the fiscal year preceding
21 the application for a renewal; provided, the Board may excuse the
22 failure of the licensee to attend the educational program in the
23 case of illness or other unavoidable casualty rendering it

1 impossible for the licensee to have attended the educational program
2 or its equivalent.

3 2. The Board shall require that the licensee receive not less
4 than one (1) hour of education in pain management or one (1) hour of
5 education in opioid use or addiction each year preceding an
6 application for renewal of a license, unless the licensee has
7 demonstrated to the satisfaction of the Board that the licensee does
8 not currently hold a valid federal Drug Enforcement Administration
9 registration number. Such education may be held at the annual
10 educational program referenced in paragraph 1 of this subsection.

11 ~~D.~~ E. The secretary of the State Board of Osteopathic Examiners
12 shall send a written notice to every person holding a legal
13 certificate to practice osteopathic medicine in this state, at least
14 thirty (30) days prior to the first day of July each year, directed
15 to the last-known address of the licensee, notifying the licensee
16 that it will be necessary for the licensee to pay the renewal
17 license fee as herein provided, and proper forms shall accompany the
18 notice upon which the licensee shall make application for renewal of
19 the certificate.

20 F. The licensee shall attest to the veracity of the application
21 form for license renewal. Failure to report fully and correctly
22 shall be grounds for disciplinary action by the Board.

23 G. The Board shall establish a system for reviewing renewal
24 forms. The Board may initiate investigations and disciplinary

1 proceedings based on information submitted by licensees for license
2 renewal.

3 SECTION 18. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 641.1 of Title 59, unless there
5 is created a duplication in numbering, reads as follows:

6 A. All osteopathic physicians in active practice licensed by
7 the State Board of Osteopathic Examiners shall maintain a policy for
8 professional malpractice liability insurance; provided, however,
9 that such requirement shall not apply to osteopathic physicians:

10 1. Covered by a group or hospital malpractice insurance policy;

11 2. Practicing in a state facility subject to The Governmental
12 Tort Claims Act, Section 151 et seq. of Title 51 of the Oklahoma
13 Statutes;

14 3. Practicing in a federal facility subject to the Federal Tort
15 Claims Act;

16 4. Providing care as a volunteer under a special volunteer
17 license pursuant to Section 635.1 of Title 59 of the Oklahoma
18 Statutes or a temporary critical need license under Section 6011 of
19 Title 59 of the Oklahoma Statutes;

20 5. Providing care as a retired osteopathic physician with a
21 valid license in a volunteer, nonpaid capacity;

22 6. Practicing or residing in another state or country, who will
23 not practice within this state during the license renewal year. An
24 osteopathic physician that is residing but not practicing in this

1 state but wishes to maintain an active license may sign an affidavit
2 stating that the osteopathic physician is not practicing osteopathic
3 medicine, listing the specific dates during which the osteopathic
4 physician will not practice. The osteopathic physician must notify
5 the Board in writing and provide proof of malpractice insurance no
6 less than ten (10) days prior to resuming practice; or

7 7. An osteopathic physician may petition the Board to be
8 temporarily exempted due to health, injury, or other personal
9 exigent circumstance during the year. A signed and sworn affidavit
10 and other documentation may be required by the Board. The Board at
11 its discretion may exempt an osteopathic physician for a specific
12 stated period of time.

13 B. The State Board of Osteopathic Examiners may promulgate
14 rules as necessary to carry out the provisions of this section
15 including, but not limited to, minimum requirements for professional
16 malpractice liability insurance policies and penalties for
17 noncompliance.

18 SECTION 19. AMENDATORY 59 O.S. 2021, Section 642, is
19 amended to read as follows:

20 Section 642. A. If any licensee shall fail to comply with the
21 requirements of Section 641 of this title or this section and such
22 license is allowed to lapse, the licensee shall, upon order of the
23 State Board of Osteopathic Examiners, forfeit the right to practice
24 osteopathic medicine in this state and the license and certificate
25

1 shall be canceled, provided, however, that the Board may reinstate
2 such person upon the payment of all fees due, plus a penalty fee in
3 the amount fixed by the State Board of Osteopathic Examiners not to
4 exceed twice the amount of the license renewal fees as determined by
5 the Board and upon the presentation of satisfactory evidence of the
6 attendance at an educational program as provided for in Sections 637
7 and 641 of this title and such other proof of professional conduct
8 as prescribed by rule. The State Board of Osteopathic Examiners
9 shall not place the license of any person authorized to practice
10 osteopathic medicine in this state on inactive status.

11 B. Any licensee whose reregistration application is rejected by
12 the Board, shall have the right to appeal from such action to the
13 district court of the county of residence. If the licensee does not
14 reside or practice in this state, appeal shall be to the Oklahoma
15 County District Court.

16 C. Licensees who retire from such practice or desire to request
17 cancellation of their license shall file with the State Board of
18 Osteopathic Examiners an affidavit, on a form to be furnished by the
19 Board, which states the date of retirement and such other facts to
20 verify the retirement or other reasons for cancellation as the Board
21 may deem necessary and the license shall be canceled. If a licensee
22 desires to re-engage the practice, the licensee shall reinstate the
23 license as provided for in Sections 637 and 641 of this title and
24 subsection A of this section.

1 SECTION 20. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 642.1 of Title 59, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Every person licensed to practice osteopathic medicine by
5 the State Board of Osteopathic Examiners shall report within
6 fourteen (14) days any criminal investigation in a jurisdiction
7 which concerns that person.

8 B. Every person licensed to practice osteopathic medicine by
9 the Board shall report within fourteen (14) days and action taken to
10 limit their license, credentials, or other authorization to practice
11 osteopathic medicine.

12 C. If a person licensed to practice osteopathic medicine in
13 this state voluntarily resigns from the staff of a health care
14 institution, or voluntarily limits that person's own staff
15 privileges at a health care institution or fails to reapply for
16 hospital or staff privileges at a health care institution, the
17 person shall report in writing such conduct to the Board within
18 fourteen (14) days. If the conduct occurs while the person is under
19 formal investigation by the institution or a committee thereof for
20 any reason related to possible unprofessional conduct or possible
21 inability to practice osteopathic medicine, that conduct shall be
22 included in the report.

23 D. Every person to whom a license to practice osteopathic
24 medicine is issued has a duty to report to the Board, within thirty

1 (30) days, all information concerning medical malpractice claims
2 settled or adjudicated to final judgment.

3 SECTION 21. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 642.2 of Title 59, unless there
5 is created a duplication in numbering, reads as follows:

6 A. Every person licensed to practice osteopathic medicine by
7 the State Board of Osteopathic Examiners shall report to the Board
8 information that the reporting person reasonably believes indicates
9 that a person licensed to practice medicine in this state is, or may
10 be, engaged in unprofessional conduct or may be unable to practice
11 medicine with reasonable skill or safety to patients.

12 B. An individual, institution, agency, or organization required
13 to report under this section who does so in good faith is not
14 subject to civil damages for reporting.

15 C. Upon receiving a complaint involving potential criminal
16 conduct, the Board shall promptly report the complaint to
17 appropriate law enforcement agencies.

18 SECTION 22. AMENDATORY 59 O.S. 2021, Section 643, is
19 amended to read as follows:

20 Section 643. The funds received pursuant to the Oklahoma
21 Osteopathic Medicine Act or the Oklahoma Abortion-Inducing Drug
22 Certification Program Act shall be deposited to the credit of the
23 State Board of Osteopathic Examiners Revolving Fund and may be
24 expended by the State Board of Osteopathic Examiners and under its

1 direction in assisting in the enforcement of the laws of this state
2 prohibiting the unlawful practice of osteopathic medicine, assisting
3 in the support of a peer assistance program, administering
4 continuing education programs to ensure the safety and well-being of
5 patients, sponsoring resident physician training, and for the
6 dissemination of information to prevent the violation of such laws,
7 and for the purchasing of supplies and such other expense as is
8 necessary to properly carry out the provisions of the Oklahoma
9 Osteopathic Medicine Act or the Oklahoma Abortion-Inducing Drug
10 Certification Program Act.

11 SECTION 23. AMENDATORY 59 O.S. 2021, Section 644, is
12 amended to read as follows:

13 Section 644. There is hereby created in the State Treasury a
14 revolving fund for the State Board of Osteopathic Examiners, to be
15 designated the "State Board of Osteopathic Examiner's Revolving
16 Fund". The fund shall be a continuing fund, not subject to fiscal
17 year limitations, and shall consist of all monies received by the
18 Board pursuant to the provisions of the Oklahoma Osteopathic
19 Medicine Act or the Oklahoma Abortion-Inducing Drug Certification
20 Program Act. All monies accruing to the credit of ~~said~~ the fund are
21 hereby appropriated and may be budgeted and expended by the Board
22 for the purpose of enforcing the laws of this state which prohibit
23 the unlawful practice of osteopathic medicine, for the dissemination
24 of information to prevent the violation of such laws ~~and,~~ and for the

1 purchase of supplies and such other expense as is necessary to
2 properly implement the provisions of the Oklahoma Osteopathic
3 Medicine Act or the Oklahoma Abortion-Inducing Drug Certification
4 Program Act, and for any other purpose specified in Section 643 of
5 this title. Expenditures from said fund shall be made upon warrants
6 issued by the State Treasurer against claims signed by an authorized
7 employee or employees of the State Board of Osteopathic Examiners
8 and filed as prescribed by law with the Director of the Office of
9 Management and Enterprise Services for approval and payment.

10 SECTION 24. AMENDATORY 59 O.S. 2021, Section 645, is
11 amended to read as follows:

12 Section 645. A. The State Board of Osteopathic Examiners shall
13 adopt such rules as may be necessary to implement the provisions of
14 the Oklahoma Osteopathic Medicine Act and may establish fees
15 authorized but not specified in the Oklahoma Osteopathic Medicine
16 Act.

17 B. The Board shall promulgate rules to identify essential
18 elements of education and practice necessary to protect the public.

19 C. The Board may prescribe by rule administrative remedies,
20 disciplinary actions, sanctions, and administrative procedures to
21 provide remedies and disciplinary actions for licensee violations of
22 statutory or regulatory prescribed unprofessional conduct, to
23 include fines up to the limits otherwise prescribed by statute or
24 rule.

1 D. The Board may provide by rule procedures for the licensee to
2 contest or dispute any administrative action, procedures for
3 resolution of any such contest or dispute, and appropriate
4 protection of private information consistent with state and federal
5 law.

6 SECTION 25. REPEALER 59 O.S. 2021, Section 631, is
7 hereby repealed.

8 SECTION 26. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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