

1 ENGROSSED SENATE
2 BILL NO. 1031

By: Kidd of the Senate

3 and

4 Wright of the House

5
6 An Act relating to licensing and regulations;
7 amending 63 O.S. 2011, Section 1-707, which relates
8 to rules and standards; deleting certain duties of
9 the Hospital Advisory Council; transferring certain
powers and duties to the State Commissioner of
Health; updating language; and providing an effective
date.

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

13 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-707, is
14 amended to read as follows:

15 Section 1-707. A. ~~The State Board of Health, upon the~~
16 ~~recommendation of the~~ State Commissioner of Health ~~and,~~ with the
17 advice of the Oklahoma Hospital Advisory Council, shall promulgate
18 rules and standards as ~~it~~ the Commissioner deems to be in the public
19 interest for hospitals, on the following:

20 1. Construction plans and location, including fees not to
21 exceed Two Thousand Dollars (\$2,000.00) for submission or
22 resubmission of architectural and building plans, and procedures to
23 ensure the timely review of such plans by the State Department of
24 Health. ~~Said~~ The assessed fee shall be used solely for the purposes

1 of processing approval of construction plans and location by the
2 State Department of Health;

3 2. Physical plant and facilities;

4 3. Fire protection and safety;

5 4. Food service;

6 5. Reports and records;

7 6. Staffing and personal service;

8 7. Surgical facilities and equipment;

9 8. Maternity facilities and equipment;

10 9. Control of communicable disease;

11 10. Sanitation;

12 11. Laboratory services;

13 12. Nursing facilities and equipment; and

14 13. Other items as may be deemed necessary to carry out the
15 purposes of this article.

16 B. 1. ~~The State Board of Health, upon the recommendation of~~
17 ~~the~~ State Commissioner of Health and, with the advice of the
18 Oklahoma Hospital Advisory Council and the State Board of Pharmacy,
19 shall promulgate rules and standards as ~~it~~ the Commissioner deems to
20 be in the public interest with respect to the storage and dispensing
21 of drugs and medications for hospital patients.

22 2. The State Board of Pharmacy shall be empowered to inspect
23 drug facilities in licensed hospitals and shall report violations of
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1 applicable statutes and rules to the State Department of Health for
2 action and reply.

3 C. 1. The Commissioner shall appoint an Oklahoma Hospital
4 Advisory Council to advise the ~~Board, the Commissioner and the~~
5 Department regarding hospital operations and to recommend actions to
6 improve patient care.

7 2. The Advisory Council shall have the duty and authority to:

8 a. review and approve in its advisory capacity rules and
9 standards for hospital licensure,

10 b. evaluate, review and make recommendations regarding
11 Department licensure activities, provided however, the
12 Advisory Council shall not make recommendations
13 regarding scope of practice for any health care
14 providers or practitioners regulated pursuant to Title
15 59 of the Oklahoma Statutes, and

16 c. recommend and approve:

17 (1) quality indicators and data submission
18 requirements for hospitals, ~~to include:~~

19 ~~(a) Agency for Healthcare Research and Quality~~
20 ~~(AHRQ) Patient Safety Indicators Available~~
21 ~~as part of the standard inpatient discharge~~
22 ~~data set, and~~

1 ~~(b) for acute care intensive care unit patients,~~
2 ~~ventilator-associated pneumonia and device-~~
3 ~~related blood stream infections, and~~

4 (2) the indicators and data to be used by the
5 Department to monitor compliance with licensure
6 requirements,~~and~~

7 ~~d. to publish an annual report of hospital performance to~~
8 ~~include the facility specific quality indicators~~
9 ~~required by this section.~~

10 D. 1. The Advisory Council shall be composed of nine (9)
11 members appointed by the Commissioner ~~with the advice and consent of~~
12 ~~the Board~~. The membership of the Advisory Council shall be as
13 follows:

14 a. two members shall be hospital administrators of
15 licensed hospitals,

16 b. two members shall be licensed physicians or
17 practitioners who have current privileges to provide
18 services in hospitals,

19 c. two members shall be hospital employees, and

20 d. three members shall be citizens representing the
21 public who:

22 (1) are not hospital employees,

23 (2) do not hold hospital staff appointments, and

24 (3) are not members of hospital governing boards.

1 2. a. Advisory Council members shall be appointed for three-
2 year terms except the initial terms after November 1,
3 1999, of one hospital administrator, one licensed
4 physician or practitioner, one hospital employee, and
5 one public member shall be one (1) year. The initial
6 terms after the effective date of this act of one
7 hospital administrator, one licensed physician or
8 practitioner, one hospital employee, and one public
9 member shall be two (2) years. The initial terms of
10 all other members shall be three (3) years. After
11 initial appointments to the Council, members shall be
12 appointed to three-year terms.

13 b. Members of the Advisory Council may be removed by the
14 Commissioner for cause.

15 E. The Advisory Council shall meet on a quarterly basis and
16 shall annually elect from among its members a chairperson. Members
17 of the Council shall serve without compensation but shall be
18 reimbursed by the Department for travel expenses related to their
19 service as authorized by the State Travel Reimbursement Act.

20 SECTION 2. This act shall become effective November 1, 2019.
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