

1 ENGROSSED HOUSE
2 BILL NO. 2610

By: Echols of the House

and

Smalley of the Senate

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7 An Act relating to children; amending 10 O.S. 2011,
8 Section 601.31, which relates to child abuse
9 examiners; updating Board of Child Abuse Examination
10 name; requiring submission of certain child death
11 information to Oklahoma Commission on Children and
12 Youth; subjecting requirement to availability of
13 funds; providing for a child maltreatment medical
14 review by a child abuse examiner; directing report of
15 review findings to specified agencies; mandating
16 consideration of findings prior to closing certain
17 investigation; authorizing payment of stipend to
18 examiner if funding is available; defining term;
19 providing for codification; providing an effective
20 date; and declaring an emergency.

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

22 SECTION 1. AMENDATORY 10 O.S. 2011, Section 601.31, is
23 amended to read as follows:

24 Section 601.31 A. The Oklahoma Commission on Children and
Youth shall:

1. Promulgate rules providing for:

a. the training and continuing training requirements for
allopathic and osteopathic physicians, physicians'

1 assistants, and registered nurses, in a manner
2 consistent with their existing scopes of practice as
3 ~~Child Abuse Examiners~~ child abuse examiners,

4 b. the duties and responsibilities of ~~Child Abuse~~
5 ~~Examiners~~ child abuse examiners, and

6 c. uniform standards for medical examinations and
7 evaluations of children suspected to be victims of
8 child abuse or neglect and uniform forms for written
9 reports of such examinations and evaluations;

10 2. Distribute an initial listing, and revised listings as often
11 as necessary, of ~~Child Abuse Examiners~~ child abuse examiners to:

12 a. each county office of the Department of Human
13 Services,

14 b. each local county or city-county health department.

15 Where there is no local health department, the listing
16 shall be sent to the local county board of health,

17 c. each district attorney, and

18 d. other persons as necessary and advisable, upon the
19 recommendation of the Board of Child Abuse ~~Examiners~~
20 Examination; and

21 3. With funds appropriated or otherwise available for such
22 purpose, may provide by contract for:

23 a. the services of a physician to serve as Chief Child
24 Abuse Examiner, and

1 b. the establishment and implementation of a training
2 program and continuing training program for
3 physicians, physicians' assistants and registered
4 nurses, in a manner consistent with their existing
5 scopes of practice, as ~~Child Abuse Examiners~~ child
6 abuse examiners and for consultation services to such
7 persons in matters relating to child abuse and neglect
8 through contracts with the University of Oklahoma and
9 Oklahoma State University.

10 B. The Board of Child Abuse Examination shall:

11 1. Prepare the rules, standards and forms required by
12 subsection A of this section, and amendments to the rules, standards
13 and forms as necessary, for the approval of the Commission;

14 2. In cooperation with the University of Oklahoma and Oklahoma
15 State University, develop and maintain training programs and
16 consultation services for physicians and ~~Child Abuse Examiners~~ child
17 abuse examiners;

18 3. In consultation and cooperation with the Department of Human
19 Services and the Oklahoma Health Care Authority, develop a uniform
20 system of reimbursement for medical examinations and evaluations of
21 cases of suspected child abuse or neglect which are compensable
22 pursuant to Title XIX of the federal Social Security Act for
23 adoption by the Oklahoma Health Care Authority;

1 4. Develop and maintain an accurate listing of trained ~~Child~~
2 ~~Abuse Examiners~~ child abuse examiners for distribution by the
3 Commission; and

4 5. Engage in such other activities as necessary and appropriate
5 for the establishment and maintenance of a statewide system of
6 expert medical examination and evaluation of children suspected to
7 be victims of child abuse and neglect, subject to the approval and
8 authorization of the Commission.

9 C. The Chief Child Abuse Examiner shall be a physician with
10 experience in the area of child abuse and neglect and, as requested
11 or directed by the Board, shall:

12 1. Provide consultant services to the Board as necessary for
13 the preparation of the rules, standards and forms required by
14 subsection A of this section;

15 2. Assist the Board and the University of Oklahoma and Oklahoma
16 State University with the development, implementation, maintenance
17 and coordination of the training programs required by this section;

18 3. Prepare written reports for the Board and the Commission
19 regarding progress of the system established by this act; and

20 4. As requested by the Board, perform other duties as necessary
21 to assist the Board in the performance of its duties and
22 responsibilities.

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1150.6 of Title 10, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Beginning November 1, 2019, and subject to the availability
5 of funds, the Director of the Bureau of Vital Statistics shall,
6 within seventy-two (72) hours of receipt of notice of any child
7 death, forward the name, date of birth, date of death and other
8 identifying information about the child who has died to the Oklahoma
9 Commission on Children and Youth. The Commission shall submit the
10 information for a child maltreatment medical review to a child abuse
11 examiner or a child abuse pediatrician in the state.

12 B. The findings of the child maltreatment medical review shall
13 be reported to the Oklahoma Commission on Children and Youth, the
14 Department of Human Services, the law enforcement agency and the
15 child advocacy center or child abuse multidisciplinary team where
16 the suspected maltreatment occurred and the Child Death Review
17 Board. The findings of the child maltreatment medical review shall
18 be considered prior to closing an investigation or assessment
19 conducted by the Department of Human Services related to the child
20 death.

21 C. Subject to the availability of funds, the Commission may
22 provide stipends to child abuse examiners who perform child
23 maltreatment medical reviews and report their findings pursuant to
24 this section.

1 D. As used in this section, "child maltreatment medical review"
2 means a review of information by a child abuse examiner about
3 suspected child maltreatment with the intent to determine if
4 maltreatment occurred. The review of information may include, but
5 is not limited to, information obtained from law enforcement
6 agencies, the Department of Human Services, medical records,
7 forensic interviews and other relevant information.

8 SECTION 3. This act shall become effective July 1, 2019.

9 SECTION 4. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13 Passed the House of Representatives the 13th day of March, 2019.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ___ day of _____, 2019.

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Presiding Officer of the Senate

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