

1 **SENATE FLOOR VERSION**

2 April 10, 2019

3 **AS AMENDED**

4 ENGROSSED HOUSE  
5 BILL NO. 2610

6 By: Echols of the House

7 and

8 Smalley of the Senate

9 **[ children - child abuse examiners - child  
10 maltreatment medical review - codification -  
11 ~~effective date~~ -**

12 **emergency ]**

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

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

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

18 1. Promulgate rules providing for:

19 a. the training and continuing training requirements for  
20 allopathic and osteopathic physicians, physicians'  
21 assistants, and registered nurses, in a manner  
22 consistent with their existing scopes of practice as  
23 ~~Child Abuse Examiners~~ child abuse examiners,

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

1 c. uniform standards for medical examinations and  
2 evaluations of children suspected to be victims of  
3 child abuse or neglect and uniform forms for written  
4 reports of such examinations and evaluations;

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

- 7 a. each county office of the Department of Human  
8 Services,  
9 b. each local county or city-county health department.

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

- 12 c. each district attorney, and  
13 d. other persons as necessary and advisable, upon the  
14 recommendation of the Board of Child Abuse ~~Examiners~~  
15 Examination; and

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

- 18 a. the services of a physician to serve as Chief Child  
19 Abuse Examiner, and  
20 b. the establishment and implementation of a training  
21 program and continuing training program for  
22 physicians, physicians' assistants and registered  
23 nurses, in a manner consistent with their existing  
24 scopes of practice, as ~~Child Abuse Examiners~~ child

1            abuse examiners and for consultation services to such  
2            persons in matters relating to child abuse and neglect  
3            through contracts with the University of Oklahoma and  
4            Oklahoma State University.

5            B. The Board of Child Abuse Examination shall:

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

9            2. In cooperation with the University of Oklahoma and Oklahoma  
10           State University, develop and maintain training programs and  
11           consultation services for physicians and ~~Child Abuse Examiners~~ child  
12           abuse examiners;

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

19           4. Develop and maintain an accurate listing of trained ~~Child~~  
20           ~~Abuse Examiners~~ child abuse examiners for distribution by the  
21           Commission; and

22           5. Engage in such other activities as necessary and appropriate  
23           for the establishment and maintenance of a statewide system of  
24           expert medical examination and evaluation of children suspected to

1 be victims of child abuse and neglect, subject to the approval and  
2 authorization of the Commission.

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

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

9 2. Assist the Board and the University of Oklahoma and Oklahoma  
10 State University with the development, implementation, maintenance  
11 and coordination of the training programs required by this section;

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

14 4. As requested by the Board, perform other duties as necessary  
15 to assist the Board in the performance of its duties and  
16 responsibilities.

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

20 A. Beginning November 1, 2019, and subject to the availability  
21 of funds, the Director of the Bureau of Vital Statistics shall,  
22 within seventy-two (72) hours of receipt of notice of any child  
23 death, forward the name, date of birth, date of death and other  
24 identifying information about the child who has died to the Oklahoma

1 Commission on Children and Youth. The Commission shall submit the  
2 information for a child maltreatment medical review to a child abuse  
3 examiner or a child abuse pediatrician in the state.

4 B. The findings of the child maltreatment medical review shall  
5 be reported to the Oklahoma Commission on Children and Youth, the  
6 Department of Human Services, the law enforcement agency and the  
7 child advocacy center or child abuse multidisciplinary team where  
8 the suspected maltreatment occurred and the Child Death Review  
9 Board. The findings of the child maltreatment medical review shall  
10 be considered prior to closing an investigation or assessment  
11 conducted by the Department of Human Services related to the child  
12 death.

13 C. Subject to the availability of funds, the Commission may  
14 provide stipends to child abuse examiners who perform child  
15 maltreatment medical reviews and report their findings pursuant to  
16 this section.

17 D. As used in this section, "child maltreatment medical review"  
18 means a review of information by a child abuse examiner about  
19 suspected child maltreatment with the intent to determine if  
20 maltreatment occurred. The review of information may include, but  
21 is not limited to, information obtained from law enforcement  
22 agencies, the Department of Human Services, medical records,  
23 forensic interviews and other relevant information.

24 ~~**SECTION 3. This act shall become effective July 1, 2019.**~~

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

5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
6 April 10, 2019 - DO PASS AS AMENDED  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24