

1 **SENATE FLOOR VERSION**

2 February 21, 2022

3 SENATE BILL NO. 1552

By: Treat

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5  
6 An Act relating to public health; amending 63 O.S.  
7 2021, Section 1-740.17, which relates to grants to  
8 private organizations for services; authorizing State  
9 Department of Health to enter into contracts with  
10 private organizations for provision of certain  
11 services; amending 63 O.S. 2021, Section 1-740.18,  
12 which relates to grant compliance and monitoring;  
13 requiring Department to monitor and review  
14 organizations and directing termination of funding  
15 under certain circumstances; updating statutory  
16 language; providing an effective date; and declaring  
17 an emergency.

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

19 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-740.17, is  
20 amended to read as follows:

21 Section 1-740.17. A. The State Department of Health shall  
22 ~~make~~ make:

23 1. Make grants, from funds appropriated by the Legislature  
24 ~~specifically for this purpose for the Choosing Childbirth Act,~~ to a  
grant-supervising entity for the purpose of reimbursing private  
organizations in ~~Oklahoma~~ this state for the reasonable expenses of  
programs providing the ~~following~~ services: listed in subsection B of  
this section; or

1        2. With funds appropriated by the Legislature for the Choosing  
2 Childbirth Act, enter into contracts directly with private  
3 organizations in this state for the purpose of providing the  
4 services listed in subsection B of this section.

5        B. Services provided pursuant to the Choosing Childbirth Act  
6 shall include:

7            1. Providing information on, referral to and assistance in  
8 securing the services of relevant existing programs or agencies that  
9 assist women in ~~Oklahoma~~ this state to carry their children to term,  
10 and/or providing services that assist women to carry their children  
11 to term including, but not limited to, agencies and programs that  
12 will provide medical attention for the pregnant woman for the  
13 duration of her pregnancy, nutritional support services, housing  
14 assistance, adoption services, education and employment assistance  
15 and parenting education and support services;

16            2. Providing women in ~~Oklahoma~~ this state, in person and  
17 through community outreach, information and/or services that  
18 encourage and assist them to carry their children to term; and

19            3. Providing services including, but not limited to, healthcare  
20 services to mothers and infants for the purpose of reducing the  
21 rates of maternal mortality and infant mortality in this state by  
22 three percent (3%) ~~within five (5) years of the effective date of~~  
23 ~~this act~~ not later than July 1, 2026; provided, however, no funds  
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1 shall be provided to an organization that provides, or whose  
2 affiliates provide, abortion services.

3 ~~B.~~ C. To be eligible for a service grant or a contract, an  
4 organization shall:

5 1. Be registered with the ~~Oklahoma~~ Secretary of State as a not-  
6 for-profit corporation located in Oklahoma;

7 2. ~~Have~~ If the Department utilizes a grant-supervising entity,  
8 have the grant amount approved by a grant-supervising entity~~+~~.

9 ~~3.~~ For services described in paragraphs 1 and 2 of subsection ~~A~~  
10 B of this section, provide each pregnant woman counseled with  
11 accurate information on the developmental characteristics of unborn  
12 children including offering the printed information described in  
13 Section 1-738.3 of Title 63 of the Oklahoma Statutes;

14 ~~4.~~ 3. Assure that ~~the grant's sole purposes are~~ any funds  
15 provided pursuant to the Choosing Childbirth Act are used only to  
16 assist and encourage women to carry their children to term and to  
17 maximize their potentials thereafter as provided in paragraphs 1 and  
18 2 of subsection B of this section or to reduce the rates of maternal  
19 mortality and infant mortality in this state as provided in  
20 paragraph 3 of subsection ~~A~~ B of this section; and

21 ~~5.~~ 4. Assure that none of the funds provided pursuant to the  
22 Choosing Childbirth Act, nor any other funds or services provided by  
23 the organization, are used to encourage or counsel a woman to have  
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1 an abortion not necessary to prevent her death, to provide her such  
2 an abortion or to refer her for such an abortion.

3 SECTION 2. AMENDATORY 63 O.S. 2021, Section 1-740.18, is  
4 amended to read as follows:

5 Section 1-740.18. ~~The State Department of Health shall make~~  
6 ~~grants to a grant-supervising entity under the Choosing Childbirth~~  
7 ~~Act from funds appropriated by the Legislature specifically for this~~  
8 ~~purpose. The State Department of Health~~

9 A. If the State Department of Health utilizes a grant-  
10 supervising entity to implement the Choosing Childbirth Act, the  
11 Department shall annually monitor and review the grant-supervising  
12 entity to assure that the grant-supervising entity carefully adheres  
13 to the purposes and requirements of the Choosing Childbirth Act, and  
14 it shall cease funding a grant-supervising entity that fails to do  
15 so if the Department proves specific findings of noncompliance,  
16 subject to judicial review.

17 B. If the Department contracts directly with private  
18 organizations in this state to implement the Choosing Childbirth  
19 Act, the Department shall annually monitor and review the  
20 organizations to assure that the organizations carefully adhere to  
21 the purposes and requirements of the Choosing Childbirth Act, and it  
22 shall cease funding an organization that fails to do so if the  
23 Department proves specific findings of noncompliance, subject to  
24 judicial review.

1 SECTION 3. This act shall become effective July 1, 2022.

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

6 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
7 February 21, 2022 - DO PASS  
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