

An Act

ENROLLED HOUSE
BILL NO. 2152

By: Roe, Waldron, Pittman and
Hefner of the House

and

Dossett of the Senate

An Act relating to maternal mortality; amending 63 O.S. 2021, Section 1-242.4, which relates to composition and structure of the Maternal Mortality Review Committee; reducing and modifying membership; requiring hospital or birthing center to report certain maternal deaths to the Office of the Chief Medical Examiner; amending 63 O.S. 2021, Section 938, which relates to medicolegal investigations; broadening types of deaths required to be investigated; amending 63 O.S. 2021, Section 939, which relates to production of records, documents, evidence, or other material; authorizing Office of the Chief Medical Examiner to share certain material with the Maternal Mortality Review Committee for specified purpose; updating statutory language; providing for codification; and providing an effective date.

SUBJECT: Maternal mortality

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-242.4, is amended to read as follows:

Section 1-242.4. The Maternal Mortality Review Committee shall be composed of ~~twenty-five (25)~~ eleven (11) members, or their designees, as follows:

1. ~~Eighteen~~ Eight of the members shall be:

- a. ~~the Chief Medical Examiner,~~
- b. the Chair of the Oklahoma Chapter of the American College of Obstetricians and Gynecologists,
- c. ~~the Chief Medical Officer of the State Department of Health,~~
- d. ~~the Chief Medical Officer of the Oklahoma Health Care Authority,~~
- e. b. the President of the Oklahoma Chapter of the American College of Nurse-Midwives,
- f. c. the Medical Director for the Oklahoma Perinatal Quality Improvement Collaborative,
- g. d. the Director of the Maternal and Child Health Services Service of the State Department of Health,
- h. ~~the Commissioner of Mental Health and Substance Abuse Services,~~
- i. e. the Chair of the Oklahoma Chapter of the Association of Women's Health, Obstetric and Neonatal Nurses,
- j. ~~the Director of the Oklahoma State Bureau of Investigation,~~
- k. ~~the Director of Injury Prevention Services of the State Department of Health,~~
- l. ~~the Director of the Family Support and Prevention Service of the State Department of Health,~~
- m. f. the Executive Director of the Southern Plains Tribal Health Board,
- n. ~~the President of the Oklahoma Chapter of the National Association of Social Workers,~~
- o. g. the Director of the Office of Oklahoma Perinatal Quality Improvement Collaborative,

- ~~p.~~ ~~the Director of the Oklahoma City/County Health Department,~~
- ~~q.~~ ~~the Director of the Tulsa Health Department, and~~
- ~~r.~~ h. the administrative program manager of the Maternal and Child Health Service Perinatal and Reproductive Health Division ~~Medical Director;~~ and

2. ~~Seven~~ Three of the members shall be appointed by the State Commissioner of Health to serve for two-year terms and shall be eligible for reappointment. The members shall be persons having training and experience in matters related to maternal mortality and severe maternal morbidity. The members shall be appointed from the following positions:

- a. a physician who is a member of the Oklahoma State Medical Association or the Oklahoma Osteopathic Association,
- ~~b.~~ ~~a physician who is a member of the Oklahoma Osteopathic Association,~~
- ~~c.~~ ~~a current law enforcement officer who is employed by a local or county law enforcement agency,~~
- ~~d.~~ a maternal-fetal medicine physician, and
- ~~e.~~ c. an individual who has been affected by pregnancy-related or pregnancy-associated deaths, severe maternal morbidity, and/or lack of access to maternal health care services,
- ~~f.~~ ~~an emergency medical technician, and~~
- ~~g.~~ ~~a home-visiting program director.~~

Every two (2) years the Committee shall elect from among its membership a chair and a ~~vice-chair~~ vice chair. The Committee shall meet at least quarterly and may meet more frequently as necessary as determined by the chair.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-702f of Title 63, unless there is created a duplication in numbering, reads as follows:

A hospital or birthing center shall make a reasonable and good-faith effort to report to the Office of the Chief Medical Examiner, within seventy-two (72) hours after the death occurs, any maternal death that occurs in the hospital or birthing center during pregnancy or within one (1) year of termination of pregnancy.

SECTION 3. AMENDATORY 63 O.S. 2021, Section 938, is amended to read as follows:

Section 938. A. All human deaths of the types listed herein shall be investigated as provided by law:

1. Violent deaths, whether apparently homicidal, suicidal, or accidental;
2. Deaths under suspicious, unusual or unnatural circumstances;
3. Deaths related to disease which might constitute a threat to public health;
4. Deaths unattended by a licensed physician for a fatal or ~~potentially-fatal~~ potentially fatal illness;
5. Deaths that are medically unexpected and that occur in the course of a therapeutic procedure;
6. Deaths of any persons detained or occurring in custody of ~~penal incarceration~~ the Department of Corrections or a county jail; and
7. Deaths of persons whose bodies are to be cremated, transported out of the state, donated to educational entities, to include limited portions of the body, or otherwise made ultimately unavailable for pathological study; and
8. Maternal deaths that occur during pregnancy or within one (1) year of termination of pregnancy reported by a hospital or birthing center under Section 2 of this act.

B. The Chief Medical Examiner shall state on the certificate of death of all persons whose death was caused by execution pursuant to a lawful court order that the cause of death was the execution of such order.

SECTION 4. AMENDATORY 63 O.S. 2021, Section 939, is amended to read as follows:

Section 939. A. Except as otherwise provided by law, the Chief Medical Examiner shall produce records, documents, evidence or other material of any nature only upon the order of a court of competent jurisdiction. An interested party or litigant in a civil or criminal action may make application for an order to produce such materials. The court, after notice to all parties, including the Chief Medical Examiner, and a hearing on the application, may, upon the showing of good cause, direct the release of a copy or any part of such material. In addition, the court may also direct the payment of reasonable costs by the requesting party for the production of the material. The production of such material shall take place at the Office of the Chief Medical Examiner unless, upon a showing of good cause, specifically ordered otherwise by the court.

B. The Chief Medical Examiner may, to the extent allowed under state law, share records, documents, evidence, or other material of any nature with the Maternal Mortality Review Committee for the purpose of aiding the Committee in carrying out its duties under the Maternal Mortality Review Act.

SECTION 5. This act shall become effective November 1, 2024.

Passed the House of Representatives the 30th day of April, 2024.

Presiding Officer of the House
of Representatives

Passed the Senate the 22nd day of April, 2024.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____