

ENGROSSED HOUSE  
BILL NO. 1267

By: Stanley of the House

and

Cain of the Senate

An Act relating to public health and safety; amending 63 O.S. 1991, Section 1-101, which relates to the Oklahoma Public Health Code; amending 63 O.S. 1991, Section 2161, which relates to the Oklahoma Blood Exchange Act; amending 63 O.S. 1991, Section 2201, which relates to the Uniform Anatomical Gift Act; amending Sections 1, 2, 3, 4 and 5, Chapter 279, O.S.L. 2000 (63 O.S. Supp. 2000, Sections 2220.1, 2220.2, 2220.3, 2220.4 and 2220.5), which relate to the Oklahoma Organ Donor Education and Awareness Program Act; amending 63 O.S. 1991, Section 3080.1, which relates to the Hydration and Nutrition for Incompetent Patients Act; amending Sections 1, 3, 5 and 11, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Sections 3101.1, 3101.3, 3101.5 and 3101.11), which relate to the Oklahoma Rights of the Terminally Ill or Persistently Unconscious Act; amending Sections 1, 6, 10 and 12, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Sections 3131.1, 3131.6, 3131.10 and 3131.12), which relate to the Oklahoma Do-Not-Resuscitate Act; amending Sections 1, 4, 5, 6, 7 and 8, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Sections 3141.1, 3141.4, 3141.5, 3141.6, 3141.7 and 3141.8), which relate to the Assisted Suicide Prevention Act; amending 63 O.S. 1991, Section 3121, which relates to the Uniform Determination of Death Act; updating language; providing cause of action to women under certain circumstances; providing for codification; providing for recodification; providing an effective date; and declaring an emergency.

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

CHAPTER I

PUBLIC HEALTH CODE

ARTICLE 1. GENERAL ADMINISTRATION

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-101, is amended to read as follows:

Section 1-101. ~~This act~~ Chapter I of this title shall be known as the "Oklahoma Public Health Code".

CHAPTER II

UNIFORM CONTROLLED DANGEROUS SUBSTANCES ACT

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-200 of Title 63, unless there is created a duplication in numbering, reads as follows:

Chapter II of this title shall be known as the "Uniform Controlled Dangerous Substances Act".

CHAPTER III

BLOOD DONATIONS AND ANATOMICAL GIFTS

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-100 of Title 63, unless there is created a duplication in numbering, reads as follows:

Chapter III of this title shall be known as "Blood Donations and Anatomical Gifts" and shall be composed of:

Article 1: General Statement;

Article 2: Oklahoma Blood Exchange Act; and

Article 3: Organ Donations.

ARTICLE 1. GENERAL STATEMENT

ARTICLE 2. OKLAHOMA BLOOD EXCHANGE ACT

SECTION 4. AMENDATORY 63 O.S. 1991, Section 2161, is amended to read as follows:

Section 2161. ~~This act~~ Article 2 of this chapter shall be known and may be cited as the "Oklahoma Blood Exchange Act".

ARTICLE 3. ORGAN DONATIONS

PART 1. UNIFORM ANATOMICAL GIFT ACT

SECTION 5. AMENDATORY 63 O.S. 1991, Section 2201, is amended to read as follows:

Section 2201. ~~This act~~ Part 1 of this article shall be known and may be cited as the "Uniform Anatomical Gift Act".

PART 2. OKLAHOMA ORGAN DONOR EDUCATION AND  
AWARENESS PROGRAM ACT

SECTION 6. AMENDATORY Section 1, Chapter 279, O.S.L. 2000 (63 O.S. Supp. 2000, Section 2220.1), is amended to read as follows:

Section 2220.1 ~~This act~~ Part 2 of this article shall be known and may be cited as the "Oklahoma Organ Donor Education and Awareness Program Act".

There is hereby created the Organ Donor Education and Awareness Program, the purpose of which shall be to promote and encourage organ donor education and awareness in this state.

SECTION 7. AMENDATORY Section 2, Chapter 279, O.S.L. 2000 (63 O.S. Supp. 2000, Section 2220.2), is amended to read as follows:

Section 2220.2 A. There is hereby established within the State Department of Health the Organ Donor Education and Awareness Program Advisory Council which shall consist of the following members appointed by the Governor, with the advice and consent of the Senate:

1. One representative from an organ procurement organization in this state that is certified by the United States Department of Health and Human Services;

2. One representative from a tissue procurement organization in this state that is certified by a national association of tissue banks;

3. One representative from an Oklahoma eye bank that is certified by a national eye bank enucleation organization;

4. Four members representing organ, tissue and eye recipients and their relatives, or donors and relatives of donors who are residents of this state; provided, however, such appointments shall be geographically representative of the four regions of the state;

5. One representative from an Oklahoma transplant center that is a member of a national organ procurement network; and

6. Three at-large members who have demonstrated an interest in organ donor education and awareness and who are residents of this state.

B. 1. Of the initial appointments made to the Oklahoma Organ Donor Education and Awareness Program Advisory Council pursuant to the provisions of subsection A of this section, the Governor shall designate four members to serve terms of four (4) years, four members to serve terms of three (3) years, and three members to serve terms of two (2) years. After the initial appointments, members appointed to the Advisory Council shall serve terms of four (4) years. Members shall serve until successors are appointed and qualified. A member may be removed by the Governor for cause. Members may serve no more than two full terms consecutively. A vacancy on the Advisory Council shall be filled in the same manner as the original appointment, for the unexpired portion of the term.

2. The Advisory Council shall elect from among its membership a chair and a vice-chair and shall adopt procedures for the governance of its operations. The Advisory Council shall meet at least semiannually. Six members shall constitute a quorum for the transaction of business.

3. Members of the Advisory Council shall receive no compensation for their services but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties by the State Department of Health pursuant to the provisions of the State Travel Reimbursement Act.

4. The State Commissioner of Health may employ such staff as necessary to carry out the provisions of ~~this act~~ the Oklahoma Organ Donor Education and Awareness Act; provided, however, the cost of administration of this act shall not exceed twenty percent (20%) of the total funds credited to the Organ Donor Education and Awareness Program Fund created in Section ~~3~~ 2220.3 of this ~~act~~ title, including administrative fees paid to the Oklahoma Tax Commission

and the Commissioner ~~for~~ of Public Safety pursuant to the provisions of Sections 4 2220.4 and 5 2220.5 of this ~~act~~ title.

C. The Oklahoma Organ Donor Education and Awareness Program Advisory Council shall assist the State Department of Health and the State Department of Education in the development of organ donor education awareness programs to educate the general public on the importance of organ donation and shall recommend priorities in the expenditures from the Oklahoma Organ Donor Education and Awareness Program Fund.

D. In administering this act, the Advisory Council is authorized, but not limited to:

1. Develop and implement educational programs and campaigns to increase organ donation in Oklahoma;

2. Make policy recommendations for the promotion of organ donation in Oklahoma;

3. Recommend priorities in the expenditures from the Oklahoma Organ Donor Education Program Fund;

4. Accept and hold property; and

5. Utilize local resources including volunteers when appropriate.

E. The Advisory Council shall annually submit to the Governor and the Legislature a report detailing its expenditures of fund monies, its activities, the status of organ donation in the state, and any recommendations for legislative changes by the first day of December beginning December 1, 2002.

SECTION 8. AMENDATORY Section 3, Chapter 279, O.S.L. 2000 (63 O.S. Supp. 2000, Section 2220.3), is amended to read as follows:

Section 2220.3 A. There is hereby created in the State Treasury a revolving fund for the State Department of Health, to be designated the "Oklahoma Organ Donor Education and Awareness Program Revolving Fund". The fund shall be a continuing fund, not subject

to fiscal year limitations, and shall consist of all monies received by the State Department of Health from:

1. Any state monies appropriated for the purpose of implementing the provisions of the Oklahoma Organ Donor Education and Awareness Program Act; and

2. Any monies collected pursuant to this section or any other monies available to the State Department of Health to implement the provisions of the Oklahoma Organ Donor Education and Awareness Program Act.

B. All monies accruing to the credit of the fund are hereby appropriated and shall be budgeted and expended to promote and encourage organ donor education and awareness.

C. Monies credited to the fund, excluding administrative fees paid to the Oklahoma Tax Commission, may be used for, but are not limited to:

1. Administration of the Oklahoma Organ Donor Education and Awareness Program Act, including, but not limited to, personnel and Advisory Council expenses;

2. Development and promotion of organ donor public education and awareness programs in cooperation with the Oklahoma Organ Sharing Network including, but not limited to, the American Red Cross and the Oklahoma Lions Eye Bank;

3. To assist in the publication of information pamphlets or booklets by the State Department of Health and the State Superintendent of Public Instruction regarding organ donation and donations to the Oklahoma Organ Donor Education and Awareness Program Fund. The State Department of Health shall distribute such informational pamphlets or booklets to the Oklahoma Tax Commission for distribution to individuals when making a voluntary contribution pursuant to the state income tax check off provided for in Section 4 2220.4 of this ~~act~~ title;

4. Implementation of organ donor education and awareness programs in the elementary and secondary schools of this state by the State Department of Education in cooperation with the Oklahoma Organ Donor Education and Awareness Program Advisory Council;

5. Grants by the State Department of Health to certified organ procurement organizations for the development and implementation of organ donor education and awareness programs in this state;

6. Encouraging the incorporation of organ donor information into the medical and nursing school curriculums of the state's medical and nursing schools. If funds are provided to a university for this educational purpose, the university shall annually evaluate the extent to which the curriculum has affected the attitudes of its students and graduates with regard to organ donation and shall forward the evaluation results to the Advisory Council; and

7. A reserve fund in an interest-bearing account with five percent (5%) of the monies received by the fund annually to be placed in this account. No funds may be expended from the reserve fund account until the required balance has reached One Hundred Thousand Dollars (\$100,000.00) and then these funds may only be used in years when donations do not meet the average normal operating fee incurred by the fund, and funds are expended to meet expenses. Once the balance in the reserve fund account reaches One Hundred Thousand Dollars (\$100,000.00), excess funds earned by interest, and yearly allocations may be used at the discretion of the Advisory Council to cover operating costs and to provide additional funds.

D. The fund may accept bequests and grants from individuals, corporations, organizations, associations, and any other source. The fund supplements and augments services provided by state agencies and does not take the place of such services.

E. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 9. AMENDATORY Section 4, Chapter 279, O.S.L. 2000 (63 O.S. Supp. 2000, Section 2220.4), is amended to read as follows:

Section 2220.4 A. Each individual taxpayer required to file a state income tax return who desires to contribute to the Oklahoma Organ Donor Education and Awareness Program Fund, as created in Section ~~3~~ 2220.3 of this ~~act~~ title, may designate the contribution on the appropriate income tax form. The contribution may not increase or decrease the income or liability of the taxpayer and may be made by reducing the income tax refund of a taxpayer by the amount designated or by accepting additional payment from the taxpayer by the amount designated, whichever is appropriate.

B. 1. Each Oklahoma individual income tax return form for tax years commencing after December 31, 2000, shall contain a designation for a contribution to the Oklahoma Organ Donor Education and Awareness Program Fund. The instructions accompanying the income tax form shall be provided to the Oklahoma Tax Commission by the State Department of Health and shall contain a description of the purpose for which the Oklahoma Organ Donor Education and Awareness Program Revolving Fund was established and information on the use of monies from the income tax contribution.

2. Taxpayers who are entitled to refunds shall have the refunds reduced by the amount designated pursuant to the provisions of paragraph 1 of this subsection. The Oklahoma Tax Commission shall annually determine the total amount designated plus the amount received in excess payments and shall report the total amount to the Office of the State Treasurer. The State Treasurer shall credit the total amount to the Oklahoma Organ Donor Education and Awareness Program Fund created in Section ~~3~~ 2220.3 of this ~~act~~ title at the earliest possible time.

C. The incremental cost of administration of contributions shall be paid out of the fund to the Oklahoma Tax Commission from



amounts received pursuant to this section before funds are expended for the purposes of the fund.

SECTION 10. AMENDATORY Section 5, Chapter 279, O.S.L. 2000 (63 O.S. Supp. 2000, Section 2220.5), is amended to read as follows:

Section 2220.5 A. 1. An applicant for a new or renewal driver license, commercial driver license, motorcycle driver license, identification card, issuance of a vehicle title or transfer of title, or issuance of a vehicle license plate shall be given an opportunity in writing to make a minimum voluntary contribution of One Dollar (\$1.00) to be credited to the Oklahoma Organ Donor Education and Awareness Program Revolving Fund established in Section ~~3~~ 2220.3 of this ~~act~~ title. Any voluntary contribution shall be added to the driver license, identification card, title, or license plate fee and then be referred to the State Treasurer and credited to the Oklahoma Organ Donor Education and Awareness Program Revolving Fund as provided in Section ~~3~~ 2220.3 of this ~~act~~ title.

2. The donation prescribed in this section is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The Commissioner ~~for~~ of Public Safety and the Oklahoma Tax Commission shall make available an information booklet or other informational sources on the importance of organ donation to applicants for licensure, as designed and provided by the State Department of Health and the State Superintendent of Public Instruction with the assistance of the Oklahoma Organ Donor Education and Awareness Program Advisory Council established in Section ~~2~~ 2220.2 of this ~~act~~ title.

B. The Commissioner ~~for~~ of Public Safety shall inquire of each applicant at the time of presentation of a completed license application whether the applicant is interested in making the one Dollar (\$1.00) donation prescribed in subsection A of this section and whether the applicant is interested in being an organ donor.

The Commissioner of Public Safety shall also specifically inform the licensee of the ability to make an organ donation by checking the organ donor box on the front of the driver license, commercial driver license or motorcycle driver license that the applicant will receive. The Commissioner of Public Safety shall notify the State Commissioner of Health regarding health information obtained from applicants who indicate that they are interested in being an organ donor.

C. The incremental cost of administration of contributions to the fund, not to exceed one percent (1%) of the monies received pursuant to the provisions of this section, shall be paid by the fund to the Commissioner ~~for~~ of Public Safety and the Oklahoma Tax Commission from amounts received pursuant to the provisions of this section before funds are expended for the purposes of the fund.

#### CHAPTER IV

##### TERMINALLY ILL PERSONS

SECTION 11. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4-100 of Title 63, unless there is created a duplication in numbering, reads as follows:

Chapter IV of this title shall be known as "Terminally Ill Persons" and shall be composed of:

Article 1: Hydration and Nutrition for Incompetent Patients Act;

Article 2: Oklahoma Rights of the Terminally Ill or Persistently Unconscious Act;

Article 3: Oklahoma Do-Not-Resuscitate Act;

Article 4: Assisted Suicide Prevention Act; and

Article 5: Uniform Determination of Death Act.

#### ARTICLE 1. HYDRATION AND NUTRITION FOR INCOMPETENT PATIENTS ACT

SECTION 12. AMENDATORY 63 O.S. 1991, Section 3080.1, is amended to read as follows:

Section 3080.1 ~~Sections Article 1 through 5~~ of this ~~act~~ chapter shall be known and may be cited as the "Hydration and Nutrition for Incompetent Patients Act".

ARTICLE 2. OKLAHOMA RIGHTS OF THE TERMINALLY ILL OR  
PERSISTENTLY UNCONSCIOUS ACT

SECTION 13. AMENDATORY Section 1, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.1), is amended to read as follows:

Section 3101.1 ~~Sections 1 through 16 Article 2~~ of this ~~act~~ chapter shall be known and may be cited as the "Oklahoma Rights of the Terminally Ill or Persistently Unconscious Act".

SECTION 14. AMENDATORY Section 3, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.3), is amended to read as follows:

Section 3101.3 As used in the Oklahoma Rights of the Terminally Ill or Persistently Unconscious Act:

1. "Advance directive for health care" means any writing executed in accordance with the requirements of Section 4 3101.4 of this ~~act~~ title and may include a living will, the appointment of a health care proxy, or both such living will and appointment of a proxy;

2. "Attending physician" means the physician who has primary responsibility for the treatment and care of the patient;

3. "Declarant" means any individual who has issued an advance directive according to the procedure provided for in Section 4 3101.4 of this ~~act~~ title;

4. "Health care provider" means a person who is licensed, certified, or otherwise authorized by the law of this state to administer health care in the ordinary course of business or practice of a profession;

5. "Health care proxy" is an individual eighteen (18) years old or older appointed by the declarant as attorney-in-fact to make

health care decisions including but not limited to the withholding or withdrawal of life-sustaining treatment if a qualified patient, in the opinion of the attending physician and another physician, is persistently unconscious, incompetent, or otherwise mentally or physically incapable of communication;

6. "Life-sustaining treatment" means any medical procedure or intervention, including but not limited to the artificial administration of nutrition and hydration if the declarant has specifically authorized the withholding and withdrawal of artificially administered nutrition and hydration, that, when administered to a qualified patient, will serve only to prolong the process of dying or to maintain the patient in a condition of persistent unconsciousness. The term "life-sustaining treatment" shall not include the administration of medication or the performance of any medical treatment deemed necessary to alleviate pain nor the normal consumption of food and water;

7. "Persistently unconscious" means an irreversible condition, as determined by the attending physician and another physician, in which thought and awareness of self and environment are absent;

8. "Person" means an individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity;

9. "Physician" means an individual licensed to practice medicine in this state;

10. "Qualified patient" means a patient eighteen (18) years of age or older who has executed an advance directive and who has been determined to be in a terminal condition or in a persistently unconscious state by the attending physician and another physician who have examined the patient;

11. "State" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico; and

12. "Terminal condition" means an incurable and irreversible condition that, even with the administration of life-sustaining treatment, will, in the opinion of the attending physician and another physician, result in death within six (6) months.

SECTION 15. AMENDATORY Section 5, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.5), is amended to read as follows:

Section 3101.5 A. An advance directive becomes operative when:

1. It is communicated to the attending physician; and
2. The declarant is no longer able to make decisions regarding administration of life-sustaining treatment. When the advance directive becomes operative, the attending physician and other health care providers shall act in accordance with its provisions or comply with the provisions of Section ~~9~~ 3101.9 of this ~~act~~ title.

B. In the event more than one valid advance directive has been executed and not revoked, the last advance directive so executed shall be construed to be the last wishes of the declarant and shall become operative pursuant to subsection A of this section.

SECTION 16. AMENDATORY Section 11, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.11), is amended to read as follows:

Section 3101.11 A. A physician or other health care provider who willfully fails to arrange the care of a patient in accordance with Section ~~9~~ 3101.9 of this ~~act~~ title shall be guilty of unprofessional conduct.

B. A physician who willfully fails to record the determination of the patient's condition in accordance with Section ~~7~~ 3101.7 of this ~~act~~ title shall be guilty of unprofessional conduct.

C. Any person who willfully conceals, cancels, defaces, alters, or obliterates the advance directive of another without the declarant's consent, or who falsifies or forges a revocation of the advance directive of another shall be, upon conviction, guilty of a felony.

D. A person who in any way falsifies or forges the advance directive of another, or who willfully conceals or withholds personal knowledge of a revocation as provided in Section ~~6~~ 3101.6 of this ~~act~~ title shall be, upon conviction, guilty of a felony.

E. A person who requires or prohibits the execution of an advance directive as a condition for being insured for, or receiving, health care services shall be, upon conviction, guilty of a felony.

F. A person who coerces or fraudulently induces another to execute an advance directive or revocation shall be, upon conviction, guilty of a felony.

G. The sanctions provided in this section do not displace any sanction applicable under other law.

### ARTICLE 3. OKLAHOMA DO-NOT-RESUSCITATE ACT

SECTION 17. AMENDATORY Section 1, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.1), is amended to read as follows:

Section 3131.1 ~~This act~~ Article 3 of this chapter shall be known and may be cited as the "Oklahoma Do-Not-Resuscitate Act".

SECTION 18. AMENDATORY Section 6, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.6), is amended to read as follows:

Section 3131.6 Health care providers shall, when presented with the original or copy of any do-not-resuscitate consent form created as provided under Section ~~5~~ 3131.5 of this ~~act~~ title, take appropriate actions to comply with the do-not-resuscitate request.

SECTION 19. AMENDATORY Section 10, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.10), is amended to read as follows:

Section 3131.10 If a person with a do-not-resuscitate consent or order is transferred from such person's home to the care of a health care agency or from the care of one health care agency to another health care agency, the existence of a do-not-resuscitate consent or order shall be communicated to the receiving health care agency prior to the transfer, and a copy of the written do-not-resuscitate consent or order shall accompany the person to the health care agency receiving the person and shall remain effective unless revoked as provided in Section ~~7~~ 3131.7 of this ~~act~~ title.

SECTION 20. AMENDATORY Section 12, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.12), is amended to read as follows:

Section 3131.12 A. The Director of the Department of Human Services, no later than one (1) year after the effective date of this act, shall implement the statewide distribution of do-not-resuscitate forms which comply with Section ~~5~~ 3131.5 of this ~~act~~ title.

B. Do-not-resuscitate identification as set forth in the Oklahoma Do-Not-Resuscitate Act shall consist of either a medical condition bracelet, necklace, or card with the inscription of the patient's name, date of birth in numerical form, and "Oklahoma do-not-resuscitate" on it. No other identification or wording shall be deemed to comply with the provisions of the Oklahoma Do-Not-Resuscitate Act. This identification shall be issued only upon presentation of a properly executed do-not-resuscitate consent form as set forth in Section ~~5~~ 3131.5 of this ~~act~~ title.

C. The Director of the Department of Human Services, no later than one (1) year after the effective date of this act, shall be responsible for establishing a system for distribution of the do-

not-resuscitate forms and identification bracelets, necklaces, or cards.

D. The legal services developer from the Aging Services Division of the Department of Human Services, no later than one (1) year after the effective date of this act, shall develop and implement a statewide educational effort to inform the public of their right to accept or refuse cardiopulmonary resuscitation and to request their physician to write a do-not-resuscitate order for them, and to urge health care agencies within this state to utilize a do-not-resuscitate form which complies with Section ~~5~~ 3131.5 of this ~~act~~ title.

#### ARTICLE 4. ASSISTED SUICIDE PREVENTION ACT

SECTION 21. AMENDATORY Section 1, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.1), is amended to read as follows:

Section 3141.1 A. ~~Sections 1 through 8 Article 4~~ of this ~~act~~ chapter shall be known and may be cited as the "Assisted Suicide Prevention Act".

B. It is the intent of the Oklahoma Legislature to protect vulnerable persons from suicide, to reduce the cost to taxpayers of enforcing the assisted-suicide laws by promoting civil enforcement and providing for reimbursement of attorney fees by those found to be violating the law.

SECTION 22. AMENDATORY Section 4, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.4), is amended to read as follows:

Section 3141.4 A. A licensed health care professional who administers, prescribes, or dispenses medications or procedures for the purpose of alleviating pain or discomfort, even if their use may increase the risk of death, shall not be deemed to have violated Section ~~3~~ 3141.3 of this ~~act~~ title or Section 813 or 814 of Title 21 of the Oklahoma Statutes so long as such medications or procedures



are not also furnished for the purpose of causing, or the purpose of assisting in causing, death for any reason.

B. A licensed health care professional who withholds or withdraws a medically administered, life-sustaining procedure does not violate Section ~~3~~ 3141.3 of this ~~act~~ title or Sections 813 or 814 of Title 21 of the Oklahoma Statutes.

C. This section shall not be construed to affect the duty of care or the legal requirements concerning acts or omissions under subsections A or B of this section.

SECTION 23. AMENDATORY Section 5, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.5), is amended to read as follows:

Section 3141.5 A cause of action for injunctive relief may be maintained against any person who is reasonably believed to be about to violate, who is in the course of violating, or who has violated Section ~~3~~ 3141.3 of this ~~act~~ title by any person who is:

1. The spouse, parent, child, or sibling of the person who would commit suicide;
2. Entitled to inherit from the person who would commit suicide;
3. A current or former health care provider of the person who would commit suicide;
4. A public official with appropriate jurisdiction to prosecute or enforce the laws of this state;
5. A guardian of the person who would commit suicide;
6. The Department of Human Services; or
7. An attorney-in-fact of the person who would commit suicide.

Such an injunction shall legally prevent the person from assisting any suicide in this state regardless of who is being assisted.

SECTION 24. AMENDATORY Section 6, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.6), is amended to read as follows:

Section 3141.6 Any person given standing by paragraph 1 or 2 of Section ~~5~~ 3141.5 of this ~~act~~ title, or the person who would have committed suicide, in the case of an attempt, may maintain a cause of action against any person who violates or attempts to violate Section ~~3~~ 3141.3 of this ~~act~~ title for compensatory damages and punitive damages. Any person given standing by paragraphs 3 through 7 of Section ~~5~~ 3141.5 of this ~~act~~ title may maintain a cause of action against any person who violates or attempts to violate Section ~~3~~ 3141.3 of this ~~act~~ title for punitive damages. An action under this section may be brought whether or not the plaintiff had prior knowledge of the violation or attempt.

SECTION 25. AMENDATORY Section 7, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.7), is amended to read as follows:

Section 3141.7 In any action or proceeding brought pursuant to Section ~~5~~ 3141.5 or ~~6~~ 3141.6 of this ~~act~~ title, the court shall allow the prevailing plaintiff a reasonable attorney fee as part of its costs. If the court determines that the action or proceeding was brought frivolously or in bad faith, the court shall allow a prevailing defendant a reasonable attorney fee as part of its costs.

SECTION 26. AMENDATORY Section 8, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.8), is amended to read as follows:

Section 3141.8 The licensing agency which issued a license or certification to a licensed health care professional who assists in a suicide in violation of Section ~~3~~ 3141.3 of this ~~act~~ title shall revoke or suspend the license or certificate of that person upon receipt of:

1. A copy of the record of criminal conviction or plea of guilty for a felony in violation of Section 813, 814 or 815 of Title 21 of the Oklahoma Statutes;

2. A copy of the record of a judgment of contempt of court for violating an injunction issued under Section 5 3141.5 of this ~~act~~ title; or

3. A copy of the record of a judgment assessing damages under Section 6 3141.6 of this ~~act~~ title.

#### ARTICLE 5. UNIFORM DETERMINATION OF DEATH ACT

SECTION 27. AMENDATORY 63 O.S. 1991, Section 3121, is amended to read as follows:

Section 3121. ~~Sections 1 through 3~~ Article 5 of this ~~act~~ chapter shall be known and may be cited as the "Uniform Determination of Death Act".

#### CHAPTER V. MEDICOLEGAL EXAMINATIONS

SECTION 28. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5-100 of Title 63, unless there is created a duplication in numbering, reads as follows:

Chapter V of this title shall be known as "Medicolegal Investigations" and shall be composed of:

Article 1. Medical Examiners; and

Article 2. State Anatomical Board.

#### ARTICLE 1. MEDICAL EXAMINER

SECTION 29. RECODIFICATION 63 O.S. 1991, Section 2151, shall be recodified as Section 3-101 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2151.1, shall be recodified as Section 3-102 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2152, shall be recodified as Section 3-103 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2153, shall be recodified as Section 3-104 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2154, shall be recodified as Section 3-105 of this title, unless there is created a duplication in numbering.

SECTION 30. RECODIFICATION 63 O.S. 1991, Section 2161, as amended by Section 4 of this act, shall be recodified as Section 3-201 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2162, shall be recodified as Section 3-202 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2163, shall be recodified as Section 3-203 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2166, shall be recodified as Section 3-204 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2167, shall be recodified as Section 3-205 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2167.1, shall be recodified as Section 3-206 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2168, shall be recodified as Section 3-207 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2169, shall be recodified as Section 3-208 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2170, shall be recodified as Section 3-209 of this title, unless there is created a duplication in numbering.

SECTION 31. RECODIFICATION 63 O.S. 1991, Section 2201, as amended by Section 5 of this act, shall be recodified as Section 3-301 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2202, as amended by Section 1, Chapter 112, O.S.L. 1998 (63 O.S. Supp. 2000, Section 2202), shall be recodified as Section 3-302 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2203, shall be recodified as Section 3-303 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2204, as amended by Section 2, Chapter 112, O.S.L. 1998 (63 O.S. Supp. 2000, Section 2204), shall be recodified as Section 3-304 of this title, unless there is created a duplication in numbering. 63 O.S. 1991,

Section 2205, shall be recodified as Section 3-305 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2206, shall be recodified as Section 3-306 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2207, shall be recodified as Section 3-307 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2208, shall be recodified as Section 3-308 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2209, shall be recodified as Section 3-309 of this title, unless there is created a duplication in numbering. Section 4, Chapter 278, O.S.L. 1999 (63 O.S. Supp. 2000, Section 2209.1), shall be recodified as Section 3-310 of the Oklahoma Statutes, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2210, as amended by Section 3, Chapter 281, O.S.L. 1997 (63 O.S. Supp. 2000, Section 2210), shall be recodified as Section 3-311 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2210.1, as amended by Section 4, Chapter 281, O.S.L. 1997 (63 O.S. Supp. 2000, Section 2210.1), shall be recodified as Section 3-312 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2211, as amended by Section 18, Chapter 217, O.S.L. 1992 (63 O.S. Supp. 2000, Section 2211), shall be recodified as Section 3-313 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2212, shall be recodified as Section 3-314 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2213, shall be recodified as Section 3-315 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2214, shall be recodified as Section 3-316 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2215, shall be recodified as Section 3-317 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2216, shall be recodified as Section 3-318 of this title, unless

there is created a duplication in numbering. 63 O.S. 1991, Section 2217, shall be recodified as Section 3-319 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 2218, shall be recodified as Section 3-320 of this title, unless there is created a duplication in numbering.

SECTION 32. RECODIFICATION Section 1, Chapter 279, O.S.L. 2000 (63 O.S. Supp. 2000, Section 2220.1), as amended by Section 6 of this act, shall be recodified as Section 3-331 of this title, unless there is created a duplication in numbering. Section 2, Chapter 279, O.S.L. 2000 (63 O.S. Supp. 2000, Section 2220.2), as amended by Section 7 of this act, shall be recodified as Section 3-332 of this title, unless there is created a duplication in numbering. Section 3, Chapter 279, O.S.L. 2000 (63 O.S. Supp. 2000, Section 2220.3), as amended by Section 8 of this act, shall be recodified as Section 3-333 of this title, unless there is created a duplication in numbering. Section 4, Chapter 279, O.S.L. 2000 (63 O.S. Supp. 2000, Section 2220.4), as amended by Section 9 of this act, shall be recodified as Section 3-334 of this title, unless there is created a duplication in numbering. Section 5, Chapter 279, O.S.L. 2000 (63 O.S. Supp. 2000, Section 2220.5), as amended by Section 10 of this act, shall be recodified as Section 3-335 of this title, unless there is created a duplication in numbering. Section 6, Chapter 279, O.S.L. 2000 (63 O.S. Supp. 2000, Section 2220.6), shall be recodified as Section 3-336 of this title, unless there is created a duplication in numbering.

SECTION 33. RECODIFICATION 63 O.S. 1991, Section 3080.1, as amended by Section 12 of this act, shall be recodified as Section 4-101 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 3080.2, shall be recodified as Section 4-102 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 3080.3, shall be recodified as Section 4-103 of this title, unless there is created a duplication

in numbering. 63 O.S. 1991, Section 3080.4, as amended by Section 17, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3080.4), shall be recodified as Section 4-104 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 3080.5, as amended by Section 18, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3080.5), shall be recodified as Section 4-105 of this title, unless there is created a duplication in numbering.

SECTION 34. RECODIFICATION Section 1, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.1), as amended by Section 13 of this act, shall be recodified as Section 4-201 of this title, unless there is created a duplication in numbering. Section 2, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.2), shall be recodified as Section 4-202 of this title, unless there is created a duplication in numbering. Section 3, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.3), as amended by Section 14 of this act, shall be recodified as Section 4-203 of this title, unless there is created a duplication in numbering. Section 4, Chapter 114, O.S.L. 1992, as amended by Section 1, Chapter 99, O.S.L. 1995 (63 O.S. Supp. 2000, Section 3101.4), shall be recodified as Section 4-204 of this title, unless there is created a duplication in numbering. Section 5, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.5), as amended by Section 15 of this act, shall be recodified as Section 4-205 of this title, unless there is created a duplication in numbering. Section 6, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.6), shall be recodified as Section 4-206 of this title, unless there is created a duplication in numbering. Section 7, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.7), shall be recodified as Section 4-207 of this title, unless there is created a duplication in numbering. Section 8, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.8), shall be recodified as Section 4-208 of this title, unless there is created a duplication in numbering. Section 9,

Chapter 114, O.S.L. 1992, as last amended by Section 1, Chapter 164, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3101.9), shall be recodified as Section 4-209 of this title, unless there is created a duplication in numbering. Section 10, Chapter 114, O.S.L. 1992, as amended by Section 3, Chapter 99, O.S.L. 1995 (63 O.S. Supp. 2000, Section 3101.10), shall be recodified as Section 4-210 of this title, unless there is created a duplication in numbering. Section 11, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.11), as amended by Section 16 of this act, shall be recodified as Section 4-211 of this title, unless there is created a duplication in numbering. Section 12, Chapter 114, O.S.L. 1992, as amended by Section 4, Chapter 99, O.S.L. 1995 (63 O.S. Supp. 2000, Section 3101.12), shall be recodified as Section 4-212 of this title, unless there is created a duplication in numbering. Section 13, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.13), shall be recodified as Section 4-213 of this title, unless there is created a duplication in numbering. Section 14, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.14), shall be recodified as Section 4-214 of this title, unless there is created a duplication in numbering. Section 15, Chapter 114, O.S.L. 1992, as amended by Section 5, Chapter 99, O.S.L. 1995 (63 O.S. Supp. 2000, Section 3101.15), shall be recodified as Section 4-215 of this title, unless there is created a duplication in numbering. Section 16, Chapter 114, O.S.L. 1992 (63 O.S. Supp. 2000, Section 3101.16), shall be recodified as Section 4-216 of this title, unless there is created a duplication in numbering.

SECTION 35. RECODIFICATION Section 1, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.1), as amended by Section 17 of this act, shall be recodified as Section 4-301 of this title, unless there is created a duplication in numbering. Section 2, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.2), shall be recodified as Section 4-302 of this title, unless there is



created a duplication in numbering. Section 3, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.3), shall be recodified as Section 4-303 of this title, unless there is created a duplication in numbering. Section 4, Chapter 327, O.S.L. 1997, as last amended by Section 1, Chapter 335, O.S.L. 1999 (63 O.S. Supp. 2000, Section 3131.4), shall be recodified as Section 4-304 of this title, unless there is created a duplication in numbering. Section 5, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.5), shall be recodified as Section 4-305 of this title, unless there is created a duplication in numbering. Section 6, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.6), as amended by Section 18 of this act, shall be recodified as Section 4-306 of this title, unless there is created a duplication in numbering. Section 7, Chapter 327, O.S.L. 1997, as amended by Section 3, Chapter 164, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3131.7), shall be recodified as Section 4-307 of this title, unless there is created a duplication in numbering. Section 8, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.8), shall be recodified as Section 4-308 of this title, unless there is created a duplication in numbering. Section 9, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.9), shall be recodified as Section 4-309 of this title, unless there is created a duplication in numbering. Section 10, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.10), as amended by Section 19 of this act, shall be recodified as Section 4-310 of this title, unless there is created a duplication in numbering. Section 11, Chapter 327, O.S.L. 1997, as amended by Section 4, Chapter 164, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3131.11), shall be recodified as Section 4-311 of this title, unless there is created a duplication in numbering. Section 12, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.12), as amended by Section 20 of this act, shall be recodified as Section 4-312 of this title, unless there is created a duplication in numbering. Section 13, Chapter

327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.13), shall be recodified as Section 4-313 of this title, unless there is created a duplication in numbering. Section 14, Chapter 327, O.S.L. 1997 (63 O.S. Supp. 2000, Section 3131.14), shall be recodified as Section 4-314 of this title, unless there is created a duplication in numbering.

SECTION 36. RECODIFICATION Section 1, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.1), as amended by Section 21 of this act, shall be recodified as Section 4-401 of this title, unless there is created a duplication in numbering. Section 2, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.2), shall be recodified as Section 4-402 of this title, unless there is created a duplication in numbering. Section 3, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.3), shall be recodified as Section 4-403 of this title, unless there is created a duplication in numbering. Section 4, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.4), as amended by Section 22 of this act, shall be recodified as Section 4-404 of this title, unless there is created a duplication in numbering. Section 5, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.5), as amended by Section 23 of this act, shall be recodified as Section 4-405 of this title, unless there is created a duplication in numbering. Section 6, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.6), as amended by Section 24 of this act, shall be recodified as Section 4-406 of this title, unless there is created a duplication in numbering. Section 7, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.7), as amended by Section 25 of this act, shall be recodified as Section 4-407 of this title, unless there is created a duplication in numbering. Section 8, Chapter 194, O.S.L. 1998 (63 O.S. Supp. 2000, Section 3141.8), as amended by Section 26 of this act, shall be recodified as Section 4-408 of this title, unless there is created a duplication in numbering.

SECTION 37. RECODIFICATION 63 O.S. 1991, Section 3121, as amended by Section 27 of this act, shall be recodified as Section 4-501 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 3122, shall be recodified as Section 4-502 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 3123, shall be recodified as Section 4-503 of this title, unless there is created a duplication in numbering.

SECTION 38. RECODIFICATION 63 O.S. 1991, Section 931, as amended by Section 1, Chapter 234, O.S.L. 1996 (63 O.S. Supp. 2000, Section 931), shall be recodified as Section 5-101 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 932, shall be recodified as Section 5-102 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 933, shall be recodified as Section 5-103 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 934, as amended by Section 2, Chapter 234, O.S.L. 1996 (63 O.S. Supp. 2000, Section 934), shall be recodified as Section 5-104 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 935, shall be recodified as Section 5-105 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 936, shall be recodified as Section 5-106 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 937, shall be recodified as Section 5-107 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 938, as amended by Section 1, Chapter 161, O.S.L. 2000 (63 O.S. Supp. 2000, Section 938), shall be recodified as Section 5-108 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 939, as amended by Section 3, Chapter 234, O.S.L. 1996 (63 O.S. Supp. 2000, Section 939), shall be recodified as Section 5-109 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 940, shall be

recodified as Section 5-110 of this title, unless there is created a duplication in numbering. Section 1, Chapter 188, O.S.L. 1999 (63 O.S. Supp. 2000, Section 940a), shall be recodified as Section 5-111 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 941, shall be recodified as Section 5-112 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 942, shall be recodified as Section 5-113 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 943, shall be recodified as Section 5-114 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 944, shall be recodified as Section 5-115 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 944.1, shall be recodified as Section 5-116 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 944.2, shall be recodified as Section 5-117 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 945, shall be recodified as Section 5-118 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 946, shall be recodified as Section 5-119 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 947, shall be recodified as Section 5-120 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 948, as amended by Section 4, Chapter 234, O.S.L. 1996 (63 O.S. Supp. 2000, Section 948), shall be recodified as Section 5-121 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 949, as amended by Section 2, Chapter 55, O.S.L. 1999 (63 O.S. Supp. 2000, Section 949), shall be recodified as Section 5-122 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 950, shall be recodified as Section 5-123 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 951, shall be recodified as Section 5-124 of this title, unless there is created a

duplication in numbering. 63 O.S. 1991, Section 952, shall be recodified as Section 5-125 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 953, shall be recodified as Section 5-126 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 954, as amended by Section 33, Chapter 382, O.S.L. 1994 (63 O.S. Supp. 2000, Section 954), shall be recodified as Section 5-127 of this title, unless there is created a duplication in numbering.

#### ARTICLE 2. STATE ANATOMICAL BOARD

SECTION 39. RECODIFICATION 63 O.S. 1991, Section 91, as last amended by Section 1, Chapter 92, O.S.L. 2000 (63 O.S. Supp. 2000, Section 91), shall be recodified as Section 5-201 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 92, shall be recodified as Section 5-202 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 93, shall be recodified as Section 5-203 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 94, shall be recodified as Section 5-204 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 95, shall be recodified as Section 5-205 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 96, shall be recodified as Section 5-206 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 97, shall be recodified as Section 5-207 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 98, shall be recodified as Section 5-208 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 98.1, shall be recodified as Section 5-209 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 99, shall be recodified as Section 5-210 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 100, shall be recodified as Section 5-211 of this

title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 101, shall be recodified as Section 5-212 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 102, shall be recodified as Section 5-213 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 103, shall be recodified as Section 5-214 of this title, unless there is created a duplication in numbering. 63 O.S. 1991, Section 104, shall be recodified as Section 5-215 of this title, unless there is created a duplication in numbering.

SECTION 40. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-738a of Title 63, unless there is created a duplication in numbering, reads as follows:

Any woman on whom an abortion was performed or induced shall have a cause of action against the physician performing or inducing the abortion if it would appear to a reasonable person in the circumstances that the physician, prior to the abortion, failed or omitted to provide sufficient information to the woman to enable her to make an informed decision whether or not to have the abortion.

SECTION 41. This act shall become effective July 1, 2001.

SECTION 42. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 13th day of March, 2001.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2001.

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Presiding Officer of the Senate