

1 **SENATE FLOOR VERSION**

2 February 25, 2019

3 SENATE BILL NO. 1031

By: Kidd of the Senate

4 and

5 Wright of the House

6  
7  
8 An Act relating to licensing and regulations;  
9 amending 63 O.S. 2011, Section 1-707, which relates  
10 to rules and standards; deleting certain duties of  
11 the Hospital Advisory Council; transferring certain  
powers and duties to the State Commissioner of  
Health; updating language; and providing an effective  
date.

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

15 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-707, is  
16 amended to read as follows:

17 Section 1-707. A. ~~The State Board of Health, upon the~~  
18 ~~recommendation of the~~ State Commissioner of Health ~~and,~~ with the  
19 advice of the Oklahoma Hospital Advisory Council, shall promulgate  
20 rules and standards as ~~it~~ the Commissioner deems to be in the public  
21 interest for hospitals, on the following:

22 1. Construction plans and location, including fees not to  
23 exceed Two Thousand Dollars (\$2,000.00) for submission or  
24 resubmission of architectural and building plans, and procedures to

1 ensure the timely review of such plans by the State Department of  
2 Health. ~~Said~~ The assessed fee shall be used solely for the purposes  
3 of processing approval of construction plans and location by the  
4 State Department of Health;

5 2. Physical plant and facilities;

6 3. Fire protection and safety;

7 4. Food service;

8 5. Reports and records;

9 6. Staffing and personal service;

10 7. Surgical facilities and equipment;

11 8. Maternity facilities and equipment;

12 9. Control of communicable disease;

13 10. Sanitation;

14 11. Laboratory services;

15 12. Nursing facilities and equipment; and

16 13. Other items as may be deemed necessary to carry out the  
17 purposes of this article.

18 B. 1. ~~The State Board of Health, upon the recommendation of~~  
19 ~~the~~ State Commissioner of Health ~~and,~~ and, with the advice of the  
20 Oklahoma Hospital Advisory Council and the State Board of Pharmacy,  
21 shall promulgate rules and standards as ~~it~~ the Commissioner deems to  
22 be in the public interest with respect to the storage and dispensing  
23 of drugs and medications for hospital patients.

24

1           2. The State Board of Pharmacy shall be empowered to inspect  
2 drug facilities in licensed hospitals and shall report violations of  
3 applicable statutes and rules to the State Department of Health for  
4 action and reply.

5           C. 1. The Commissioner shall appoint an Oklahoma Hospital  
6 Advisory Council to advise the ~~Board, the Commissioner and the~~  
7 Department regarding hospital operations and to recommend actions to  
8 improve patient care.

9           2. The Advisory Council shall have the duty and authority to:

- 10           a. review and approve in its advisory capacity rules and  
11                 standards for hospital licensure,
- 12           b. evaluate, review and make recommendations regarding  
13                 Department licensure activities, provided however, the  
14                 Advisory Council shall not make recommendations  
15                 regarding scope of practice for any health care  
16                 providers or practitioners regulated pursuant to Title  
17                 59 of the Oklahoma Statutes, and

18           c. recommend and approve:

- 19                 (1) quality indicators and data submission  
20                         requirements for hospitals, ~~to include:~~

- 21                         ~~(a) Agency for Healthcare Research and Quality~~  
22                                 ~~(AHRQ) Patient Safety Indicators Available~~  
23                                 ~~as part of the standard inpatient discharge~~  
24                                 ~~data set, and~~

1                   ~~(b) for acute care intensive care unit patients,~~  
2                   ~~ventilator-associated pneumonia and device-~~  
3                   ~~related blood stream infections, and~~

4                   (2) the indicators and data to be used by the  
5                   Department to monitor compliance with licensure  
6                   requirements,~~and~~

7                   ~~d. to publish an annual report of hospital performance to~~  
8                   ~~include the facility specific quality indicators~~  
9                   ~~required by this section.~~

10           D. 1. The Advisory Council shall be composed of nine (9)  
11 members appointed by the Commissioner ~~with the advice and consent of~~  
12 ~~the Board~~. The membership of the Advisory Council shall be as  
13 follows:

14           a. two members shall be hospital administrators of  
15           licensed hospitals,

16           b. two members shall be licensed physicians or  
17           practitioners who have current privileges to provide  
18           services in hospitals,

19           c. two members shall be hospital employees, and

20           d. three members shall be citizens representing the  
21           public who:

22                   (1) are not hospital employees,

23                   (2) do not hold hospital staff appointments, and

24                   (3) are not members of hospital governing boards.

