

1 **SENATE FLOOR VERSION**

2 February 25, 2019

3 SENATE BILL NO. 419

By: Bice

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6 An Act relating to health services; defining terms;
7 directing certain licensing boards to work with
8 hospitals and healthcare professionals to develop
9 certain policies and materials to meet certain
10 requirements; requiring conformance with federal law;
11 providing exception; providing for codification; and
12 providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1-242 of Title 63, unless there
16 is created a duplication in numbering, reads as follows:

17 A. As used in this section:

18 1. "Hospital" shall have the same meaning as such term is
19 defined in Section 1-701 of Title 63 of the Oklahoma Statutes;

20 2. "Licensed health care professional" means a licensed
21 allopathic or osteopathic physician, a licensed Advanced Practice
22 Registered Nurse or a licensed physician assistant;

23 3. "Postnatal care" means an office visit to a licensed health
24 care professional occurring after birth, with reference to the
infant or mother;

1 4. "Prenatal care" means an office visit to a licensed health
2 care professional for pregnancy-related care occurring before birth;
3 and

4 5. "Questionnaire" means an assessment tool administered by a
5 licensed health care professional to detect perinatal mental health
6 disorders, such as the Edinburgh Postnatal Depression Scale, the
7 Postpartum Depression Screening Scale, the Beck Depression
8 Inventory, the Patient Health Questionnaire or other validated
9 assessment methods.

10 B. The State Board of Medical Licensure and Supervision, the
11 State Board of Osteopathic Examiners and the State Board of Nursing
12 may work with hospitals and licensed health care professionals in
13 this state to develop policies, procedures, information and
14 educational materials to meet each of the following requirements
15 concerning perinatal mental health disorders:

16 1. Licensed health care professionals providing prenatal care
17 to women shall provide education to women and, if possible and with
18 permission, to their families about perinatal mental health
19 disorders in accordance with the formal opinions and recommendations
20 of the American College of Obstetricians and Gynecologists;

21 2. All hospitals that provide labor and delivery services in
22 this state shall provide new mothers, prior to discharge following
23 childbirth, and, if possible, shall provide fathers and other family
24 members with complete information about perinatal mental health

1 disorders, including its symptoms, methods of coping with the
2 illness and treatment resources;

3 3. Licensed health care professionals providing prenatal care
4 at a prenatal visit shall invite each pregnant patient to complete a
5 questionnaire and shall review the completed questionnaire in
6 accordance with the formal opinions and recommendations of the
7 American College of Obstetricians and Gynecologists. Assessment for
8 perinatal mental health disorders shall be repeated when, in the
9 professional judgment of the licensed health care professional, a
10 reasonable possibility exists that the woman suffers from perinatal
11 mental health disorders;

12 4. Licensed health care professionals providing postnatal care
13 to women shall invite each patient to complete a questionnaire and
14 shall review the completed questionnaire in accordance with the
15 formal opinions and recommendations of the American College of
16 Obstetricians and Gynecologists; and

17 5. Licensed health care professionals providing pediatric care
18 to an infant shall invite the infant's mother to complete a
19 questionnaire at any well-baby checkup at which the mother is
20 present prior to the infant's first birthday, and shall review the
21 completed questionnaire in accordance with the formal opinions and
22 recommendations of the American College of Obstetricians and
23 Gynecologists, in order to ensure that the health and well-being of
24 the infant are not compromised by an undiagnosed perinatal mental

1 health disorder in the mother. In order to share results from an
2 assessment with the mother's primary licensed health care
3 professional, consent should be obtained from the mother in
4 accordance with the Health Insurance Portability and Accountability
5 Act of 1996, 29 U.S.C.A., Section 1181 et seq. If the mother is
6 determined to present an acute danger to herself or someone else,
7 consent is not required.

8 SECTION 2. This act shall become effective November 1, 2019.

9 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
10 February 25, 2019 - DO PASS

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