Bill Summary
1st Session of the 58th Legislature

Bill No.:	**SB 779**
Version:	**CS**
Request No.:	**1715**
Author:	**Sen. Daniels**
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Bill Analysis

The CS for SB 779 directs the State Board of Pharmacy to promulgate rules to create a certification program to oversee and regulate the provision of abortion-inducing drugs, which shall be known as the Oklahoma Abortion-Inducing Drug Certification Program. Such drugs shall only be distributed and provided in this state only by manufacturers or distributors certified to do so under this program. The measure outlines the process for certification, and states that any physician found to be in violation of these provisions shall be suspended from practice until such time that the physician demonstrates full compliance. Individuals in another state shall be required to follow certification procedures outlined in this measure. The State Board of Pharmacy is required to adopt an electronically based reporting system for certified physicians to annually report the demographics, medication used, complicating events, unresolved cases, and number of patients served.

Physicians shall be prohibited from administering abortion-inducing drugs to women with certain risk factors and any woman with a pregnancy 10 weeks into their pregnancy. Physicians shall also be required to report certain information relating to complications, deaths, and other health events to the State Department of Health as it relates to the administration of abortion-inducing drugs. Any physician administering abortion-inducing drugs shall be required to maintain hospital admitting privileges or enter into a written agreement with an associated physician in the county or contiguous county where the abortion-inducing drug was provided.

Any person found to have distributed an abortion-inducing drug to persons not qualified to administer such drugs shall be guilty of a misdemeanor or a felony if a drug is provided to a pregnant woman without her knowledge. Persons found to have violated the provisions of this measure shall be subject to professional and civil penalties. Additionally, the State Board of Pharmacy shall levy a fine of not less than $5 million on manufacturers and $250,000.00 for physicians who violate the provisions of this measure. The Board must also create a website a complaint portal for patients, pharmacy, nursing, and medical professionals and the public to submit information about potential violations. The Board must review each complaint and determine a disposition including referral to another appropriate state agency, within 30 days.

The Legislature may also appoint 1 or more members who sponsored or cosponsored this measure to intervene as a matter of right in any case in which the constitutionality of this act is challenged. The measure provides for severability of its provisions.

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