

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2152

By: Roe

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5
6 AS INTRODUCED

7 An Act relating to maternal mortality; amending 63
8 O.S. 2021, Section 1-242.4, which relates to
9 composition and structure of the Maternal Mortality
10 Review Committee; reducing membership; requiring
11 hospital or licensed birthing center to report
12 certain maternal deaths to the Office of the Chief
13 Medical Examiner; amending 63 O.S. 2021, Section 938,
14 which relates to types of deaths to be investigated;
15 broadening types of deaths required to be
16 investigated; amending 63 O.S. 2021, Section 939,
17 which relates to production of records, documents,
18 evidence, or other material; authorizing Office of
19 the Chief Medical Examiner to share certain material
20 with the Maternal Mortality Review Committee for
21 specified purpose; providing for codification; and
22 providing an effective date.

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

24 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)~~ twenty-four (24) members, or their
designees, as follows:

1. Eighteen of the members shall be:

- 1 a. the Chief Medical Examiner,
- 2 b. the Chair of the Oklahoma Chapter of the American
- 3 College of Obstetricians and Gynecologists,
- 4 c. the Chief Medical Officer of the State Department of
- 5 Health,
- 6 d. the Chief Medical Officer of the Oklahoma Health Care
- 7 Authority,
- 8 e. the President of the Oklahoma Chapter of the American
- 9 College of Nurse-Midwives,
- 10 f. the Medical Director for the Oklahoma Perinatal
- 11 Quality Improvement Collaborative,
- 12 g. the Director of the Maternal and Child Health ~~Services~~
- 13 Service of the State Department of Health,
- 14 h. the Commissioner of Mental Health and Substance Abuse
- 15 Services,
- 16 i. the Chair of the Oklahoma Chapter of the Association
- 17 of Women's Health, Obstetric and Neonatal Nurses,
- 18 j. the Director of the Oklahoma State Bureau of
- 19 Investigation,
- 20 k. the Director of the Injury Prevention ~~Services~~ Service
- 21 of the State Department of Health,
- 22 l. the Director of the Family Support and Prevention
- 23 Service of the State Department of Health,
- 24

- 1 m. the Executive Director of the Southern Plains Tribal
2 Health Board,
- 3 n. the President of the Oklahoma Chapter of the National
4 Association of Social Workers,
- 5 o. the Director of the Office of Perinatal Quality
6 Improvement,
- 7 p. the Director of the Oklahoma ~~City/County~~ City-County
8 Health Department,
- 9 q. the Director of the Tulsa Health Department, and
- 10 r. the Maternal and Child Health Service Perinatal and
11 Reproductive Health Division ~~Medical Director~~
12 Administrative Program Manager; and

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

- 19 a. a physician who is a member of the Oklahoma State
20 Medical Association,
- 21 b. a physician who is a member of the Oklahoma
22 Osteopathic Association,
- 23 c. a current law enforcement officer who is employed by a
24 local or county law enforcement agency,

- 1 d. a maternal-fetal medicine physician,
- 2 e. an individual who has been affected by pregnancy-
- 3 related or pregnancy-associated deaths, severe
- 4 maternal morbidity, and/or lack of access to maternal
- 5 health care services, and
- 6 f. an emergency medical technician,~~and~~
- 7 ~~g. a home-visiting program director.~~

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

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

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

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

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

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

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

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

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

15 B. Notwithstanding subsection A of this section, the Chief
16 Medical Examiner may, to the extent allowed under state law, share
17 records, documents, evidence, or other material of any nature with
18 the Maternal Mortality Review Committee for the purpose of aiding
19 the Committee in carrying out its duties under the Maternal
20 Mortality Review Act.

21 SECTION 5. This act shall become effective November 1, 2023.

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23 59-1-5383 TJ 12/15/22
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