HB2051 POLPCS1 Preston Stinson-TJ 2/24/2025 10:05:57 am

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES
State of Oklahoma

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Reading Clerk

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

By: Stinson

PROPOSED POLICY COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 2051

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PROPOSED POLICY COMMITTEE SUBSTITUTE

An Act relating to practice of medicine; creating the Supervised Physicians Act; defining terms; limiting scope of supervised physician practice; specifying applicability of supervision requirements; directing the State Board of Medical Licensure and Supervision to promulgate certain rules; specifying duration of licensure; authorizing certain penalties for noncompliance with specified standards; specifying allowed professional titles; making supervising physician responsible for supervised physicians; requiring collaborative practice arrangement within specified time period; stipulating requirements for supervising physician and collaborative practice arrangement; requiring arrangement to include certain provisions; directing promulgation of additional rules; imposing certain limits on collaborative practice arrangements; prohibiting certain disciplinary actions under certain circumstances; providing for identification and reporting of supervising physicians; providing for publication and tracking of certain information; granting certain protections to supervising physicians and supervised physicians; requiring certain identification badges; requiring completion of certification course; specifying applicability of collaborative practice agreements; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 479.1 of Title 59, unless there
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Supervised Physicians Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 479.2 of Title 59, unless there is created a duplication in numbering, reads as follows:

As used in this act:

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- 1. "Medical school graduate" means any person who has graduated from a medical school as described in Section 493.1 of Title 59 of the Oklahoma Statutes or a school of osteopathic medicine as described in Section 630 of Title 59 of the Oklahoma Statutes;
 - 2. "Supervised physician" means a medical school graduate who:
 - a. is a resident and citizen of the United States,
 - b. has successfully completed Step 1 and Step 2 of the United States Medical Licensing Examination (USMLE), or the equivalent of Step 1 and Step 2 of any other medical licensing examination or combination of examinations that is approved by the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners, within the same calendar

year as the person's graduation from a medical school
or school of osteopathic medicine,

- c. has successfully graduated from an Oklahoma medical school with a doctorate of medicine or a doctorate of osteopathic medicine; notwithstanding any other provisions of this act, this subparagraph C is the controlling provision for the location of the medical school the supervised physician may be a graduate of, and
- d. has entered into a supervised physician collaborative practice arrangement as defined in paragraph 3 of this section; and
- 3. "Supervised physician collaborative practice arrangement" means an agreement between a licensed supervising physician and a supervised physician that meets the requirements of this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 479.3 of Title 59, unless there is created a duplication in numbering, reads as follows:

Supervised physicians shall be subject to the supervision requirements established in any controlling federal law, any supervision requirements provided in this act, and any supervision requirements established by the State Board of Medical Licensure and Supervision. Supervised physicians are not subject to any

additional supervision requirements, other than the supervision requirements provided in this section.

- SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 479.4 of Title 59, unless there is created a duplication in numbering, reads as follows:
 - A. The State Board of Medical Licensure and Supervision, in consultation with the State Board of Osteopathic Examiners, with the input and assistance of designated institutional officers and graduate medical education departments at the state's medical schools, shall promulgate rules:
 - 1. To establish the process for temporary licensure of supervised physicians, supervision requirements, and additional requirements for supervised physician collaborative practice arrangements;
 - 2. To set fees in an amount greater than or equal to the total costs necessary to facilitate the supervised physician collaborative practice arrangement each year; and
 - 3. To address any other matters necessary to protect the public and discipline the profession.
 - B. A supervised physician's temporary license issued pursuant to this act and the rules promulgated by the State Board of Medical Licensure and Supervision shall only be valid for two (2) years from the date of the supervised physician's medical school graduation and is not subject to renewal. The State Board of Medical Licensure and

- Supervision or the State Board of Osteopathic Examiners may deny an application for temporary licensure or suspend or revoke the temporary license of a supervised physician for violation of the standards provided in the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act or the Oklahoma Osteopathic Medicine Act, or such other standards of conduct established by the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners by rule.
 - C. This act shall not be construed to be an alternative pathway to full licensure. The license created in this act shall only be temporary for the amount of time allowed in this act.

- SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 479.5 of Title 59, unless there is created a duplication in numbering, reads as follows:
 - A supervised physician shall clearly identify himself or herself as a supervised physician and shall clearly be identified as a supervised physician on his or her name tag or lab coat. A supervised physician shall not practice, or attempt to practice, without a supervised physician collaborative practice arrangement, except as otherwise provided in this act.
- SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 479.6 of Title 59, unless there is created a duplication in numbering, reads as follows:

The licensed supervising physician collaborating with a supervised physician shall be responsible for directly supervising the activities of the supervised physician and shall accept full responsibility for the services provided by the supervised physician.

- SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 479.7 of Title 59, unless there is created a duplication in numbering, reads as follows:
- A. This act applies to all supervised physician collaborative practice arrangements. To be eligible to practice as a supervised physician, a temporary licensed supervised physician shall enter into a supervised physician collaborative practice arrangement with a supervising physician by the end of the calendar year of his or her graduation from medical school.
- B. Only a physician licensed by the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners may enter into a supervised physician collaborative practice arrangement with a supervised physician. Supervised physician collaborative practice arrangements shall take the form of a written agreement that includes mutually agreed-upon protocols and any standing orders for the delivery of services. Supervised physician collaborative practice arrangements may delegate to a supervised physician the authority to prescribe, administer, or dispense drugs and provide treatment, as long as the delivery of the

services is within the scope of the supervising physician's practice
and is consistent with the supervised physician's skill, training,
and competence and the skill, training, and competence of the
supervising physician; except that a supervised physician shall not
prescribe controlled dangerous substances. The supervising
physician shall be board-certified in the specialty that the
supervised physician is practicing.

C. The supervised physician collaborative practice arrangement shall contain the following provisions:

- 1. Complete names, home and business addresses, and telephone numbers of the supervising physician and the supervised physician;
- 2. A requirement that the supervised physician practice at the same location as the supervising physician;
- 3. A requirement that a prominently displayed disclosure statement informing patients that they may be seen by a supervised physician, and advising patients that the patient has the right to see the supervising physician;
- 4. All specialty or board certifications of the supervising physician and all certifications of the supervised physician;
- 5. The manner of collaboration between the supervising physician and the supervised physician, including how the supervising physician and the supervised physician will engage in collaborative practice consistent with each professional's skill, training, education, and competence;

- 6. A requirement that the supervised physician shall not provide patient care during an absence of the supervising physician for any reason;
- 7. A list of all other supervised physician collaborative practice arrangements of the supervising physician and the supervised physician;

- 8. The duration of the supervised physician collaborative practice arrangement between the supervising physician and the supervised physician;
- 9. A provision describing the time and manner of the supervising physician's review of the supervised physician's delivery of services. The provision shall require the supervising physician shall review one hundred percent (100%) of the charts documenting the supervised physician's delivery of services; and
- 10. A requirement that a supervising physician directly supervise the supervised physician at all times while seeing patients.
- SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 479.8 of Title 59, unless there is created a duplication in numbering, reads as follows:
- A. The State Board of Medical Licensure and Supervision, in consultation with the State Board of Osteopathic Examiners, shall promulgate rules regulating the use of supervised physician

collaborative practice arrangements for supervised physicians. The rules shall specify:

1. The methods of treatment that may be covered by the supervised physician collaborative practice arrangement;

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- 2. The educational methods and programs to be performed during the collaborative practice service, developed in consultation with deans of medical schools and residency program directors in this state, which shall facilitate the advancement of the supervised physician's medical knowledge and capabilities, the successful completion of which may lead to credit toward a future residency program that deems the documented educational achievements of the supervised physician through the methods and programs acceptable; and
- 3. Require review of the services provided under a supervised physician collaborative practice arrangement.
- B. A supervising physician shall not enter into a supervised physician collaborative practice arrangement with more than three supervised physicians at the same time.
- SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 479.9 of Title 59, unless there is created a duplication in numbering, reads as follows:
- A. Within thirty (30) days of any licensure change, the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners shall require every physician to identify

whether the physician is engaged in a supervised physician collaborative practice arrangement, and to report to the physician's licensing board the name of each supervised physician with whom the physician has entered into an arrangement. Each board may make the information available to the public. The State Board of Medical Licensure and Supervision shall track the reported information and may routinely conduct reviews or inspections to ensure that the arrangements are being carried out in compliance with this act.

- B. A contract or other agreement shall not require a physician to act as a supervising physician for a supervised physician against the physician's will. A physician has the right to refuse to act as a supervising physician, without penalty, for a particular supervised physician. A contract or other agreement shall not limit the supervising physician's authority over any protocols or standing orders, or delegate the physician's authority to a supervised physician. However, this subsection does not authorize a physician in implementing protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.
- C. A contract or other agreement shall not require a supervised physician to serve as a supervised physician for any supervising physician against the supervised physician's will. A supervised physician has the right to refuse to collaborate, without penalty, with a particular physician.

D. All supervising physicians and supervised physicians under a supervised physician collaborative practice arrangement shall wear identification badges while acting within the scope of the arrangement. The identification badges shall prominently display the licensure status of the supervising physician and the supervised physician.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 479.10 of Title 59, unless there is created a duplication in numbering, reads as follows:

- A. The supervising physician shall complete a certification course, which may include material on the laws pertaining to the professional relationship. The certification course shall be approved by the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners.
- B. A supervised physician collaborative practice arrangement shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in Section 1-701 of Title 63 of the Oklahoma Statutes, if the protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

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NEW LAW A new section of law to be codified
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        SECTION 11.
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    in the Oklahoma Statutes as Section 479.11 of Title 59, unless there
    is created a duplication in numbering, reads as follows:
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        The provisions of this act only apply to inpatient hospital
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    settings in facilities that are accredited by the Accreditation
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    Council for Graduate Medical Education.
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        SECTION 12. This act shall become effective November 1, 2025.
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