

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 668

By: Kern

AS INTRODUCED

An Act relating to health care; defining terms; prohibiting health care staffing agency from charging fee in excess of certain amount; authorizing certain civil actions; making health care staffing agency liable for certain violation under specified conditions; authorizing certain relief; 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 1-714.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Covered facility" means:

- a. a hospital licensed under Section 1-702 of Title 63 of the Oklahoma Statutes, or
- b. a nursing facility or specialized facility licensed under the Nursing Home Care Act, Section 1-1901 et seq. of Title 63 of the Oklahoma Statutes;

1 2. "Health care staffing agency" means a company that provides
2 temporary nursing services for covered facilities needing to fill
3 vacant shifts in exchange for a fee; and

4 3. "Health care worker" means a nurse, nurse aide, or any other
5 direct care clinical staff member that is employed by a health care
6 staffing agency and that provides nursing services to a patient or
7 resident of a covered facility.

8 B. If a health care staffing agency places a health care worker
9 in a covered facility who was previously employed by the covered
10 facility for any period of time within the preceding two (2) years,
11 the fee charged by the health care staffing agency for that health
12 care worker shall not, when converted to an hourly wage, exceed one
13 hundred five percent (105%) of the highest hourly wage paid to the
14 health care worker by the covered facility when the worker was
15 employed by the facility.

16 C. 1. A covered facility may bring an action against a health
17 care staffing agency alleging a violation of subsection B of this
18 section. A health care staffing agency found in violation of
19 subsection B of this section shall be liable if:

20 a. the covered facility, prior to bringing the action,
21 notified the health care staffing agency of a fee in
22 excess of the limit imposed by subsection B of this
23 section and provided accurate and detailed records of
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1 the employee's pay to the health care staffing agency
2 to support the allegation, and

3 b. the health care staffing agency failed to promptly
4 correct the violation.

5 2. The court may award actual damages, punitive damages, court
6 costs, reasonable attorney fees, injunctive relief, and any other
7 appropriate relief to a prevailing plaintiff.

8 SECTION 2. This act shall become effective November 1, 2025.

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