

BILL SUMMARY

1st Session of the 60th Legislature

Bill No.:	HB1630
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Request Number:	13231
Author:	Rep. Sneed
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Impact:	\$0

Research Analysis

The committee substitute for HB 1630 adds that no license will be issued to a facility located in a city with an established hospital within 20 miles or minutes, whichever is greater, from a rural hospital and a population of less than 30,000 people unless written permission is obtained from the hospital to operate a short-term emergency and nonemergency hybrid medical facility.

HB 1630 provides that a person must not establish or operate a short-term emergency or nonemergency hybrid medical facility without a license. The facility cannot provide emergency care without a license, but a licensed hybrid medical facility can provide other health care services. Violating this will be a misdemeanor and each day of a continuing violation is a separate offense. No license will be issued to a facility located in a city that has an established hospital and a population of less than 30,000 people unless written permission is obtained from the hospital. The measure outlines facilities that will not be required to be licensed under this act. The measure also outlines the application process for a hybrid medical facility license. The Oklahoma Commissioner of Health will adopt rules necessary to implement this act as well as set fees imposed by the act in reasonable amounts necessary to defray the costs of administration. The State Department of Health may inspect a facility at reasonable times to ensure compliance with the act.

A facility is required to provide each emergency patient an appropriate medical screening, examination, and stabilization without regard to the individual's ability to pay. An insurer or third-party administrator will be prohibited from reimbursing a hybrid medical facility on a discounted fee basis for covered services unless the criteria listed in the measure are met. A person may file a complaint with the State Department of Health against a facility licensed under this act and the Department may deny, suspend, or revoke a license for a violation of this act. If the noncompliance is not found to endanger public health or safety, the Department may schedule the facility for probation instead. If the facility does not make corrections, their license can be suspended or revoked. The Department is also authorized to issue an emergency order to suspend a license if there is reasonable cause to believe that the conduct of a license holder creates an immediate danger to the public health or safety and the Department may also petition a district court for a temporary restraining order to restraint a continuing violation of standards or licensing requirements. An administrative penalty may also be imposed on a person who violates this act or a related rule or order. The details of this are included in the measure. The measure also creates the "Short-term Emergency and Nonemergency Hybrid Medical Facility Licensing Fund."

Prepared By: Suzie Nahach, House Research Staff

Fiscal Analysis

HB 1630 establishes new licensing requirements for short-term emergency and nonemergency hybrid medical facilities. The measure directs the State Department of Health (OSDH) to adopt rules for implementing the new licensure process and allows the Commissioner to set fees that are reasonable to cover administrative costs. As a result, OSDH officials confirmed the requirements of the measure are feasible within existing resources. Therefore, HB 1630 is not anticipated to have a direct fiscal impact on the state budget.

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Other Considerations

None.