

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 POLICY COMMITTEE
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 1600

By: Gise and Williams

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8 POLICY COMMITTEE RECOMMENDATION

9 An Act relating to health care; enacting the Lori
10 Brand Patient Bill of Rights Act of 2025; creating a
11 list of rights for a patient seeking treatment;
12 specifying certain responsibilities of patients
13 seeking treatment; creating certain rights for minor
14 patients seeking treatment; specifying certain
15 responsibilities of parents of minor patients seeking
16 treatment in this state; providing for codification;
17 and providing an effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 3401 of Title 63, unless there
21 is created a duplication in numbering, reads as follows:

22 This act shall be known and may be cited as the "Lori Brand
23 Patient Bill of Rights Act of 2025".

24 SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 3401.1 of Title 63, unless there
is created a duplication in numbering, reads as follows:

1 A. Each patient treated in this state shall have the following
2 rights when being treated:

3 1. The right to considerate and respectful care, provided in a
4 safe environment, free from all forms of abuse, neglect, harassment,
5 and exploitation;

6 2. To receive information in a manner that he or she
7 understands. Communications with the patient shall be effective and
8 provided in a manner that facilitates understanding by the patient.
9 Written information provided will be appropriate to the age,
10 understanding, and, as appropriate, the language of the patient. As
11 appropriate, communications specific to the vision-, speech-,
12 hearing-, cognitive-, and language-impaired patient will be
13 provided. The hospital shall meet the requirements of federal
14 regulations that require program and facility accessibility;

15 3. To receive as much information about any proposed treatment
16 or procedure as he or she may need in order to give informed consent
17 or to refuse the course of treatment. Except in emergencies, this
18 shall include a description of the procedure or treatment, the
19 medically significant risks involved in the procedure or treatment,
20 alternate courses of treatment or nontreatment and the risks
21 involved in each, and the name of the person who will carry out the
22 procedure or treatment;

23 4. To have an advance directive attorney for health care
24 concerning treatment or to designate a surrogate decision-maker with

1 the expectation that the hospital will honor the intent of that
2 directive to the extent allowed by law and hospital policy. The
3 health care provider must advise a patient of his or her rights
4 under state law and hospital policy to make informed medical
5 decisions, ask if the patient has an advance directive, and include
6 that information in patient records. The patient has the right to
7 timely information about hospital policy that may limit its ability
8 to implement a legally valid advance directive;

9 5. To participate in the development and implementation of his
10 or her plan of care and actively participate in decisions regarding
11 his or her medical care;

12 6. To accept medical care or to refuse treatment, to the extent
13 permitted by law, and to be informed of the consequences of such
14 refusal;

15 7. To become informed of his or her rights as a patient in
16 advance of, or when discontinuing, the provision of care. The
17 patient may appoint a representative to receive this information
18 should he or she so desire;

19 8. To have a family member or representative of his or her
20 choice notified promptly of his or her admission to the hospital;

21 9. To request that no information regarding his or her
22 admittance, diagnosis, or treatment be released;

23 10. To review the records and obtain a copy of the medical
24 records pertaining to his or her medical care and to have the

1 information explained or interpreted as necessary, except when
2 restricted by law;

3 11. To reasonable continuity of care, when appropriate, and to
4 be informed by the doctor and other caregivers of available and
5 realistic patient care options when hospital care is no longer
6 appropriate;

7 12. To confidential treatment of all communications and records
8 pertaining to his or her care and stay at the hospital;

9 13. To expect that, within its capability, capacity, and
10 policies, the hospital will make a reasonable response to the
11 request of a patient for appropriate and medically directed care and
12 services. The hospital must provide evaluation, service, and a
13 referral as indicated by the urgency of the case. When medically
14 appropriate and legally permissible, or when a patient has requested
15 a transfer, that patient may be transferred to another facility.
16 That facility must have first accepted the patient for transfer.
17 The patient must also have the benefit of the complete information
18 and explanation concerning the need for, risks and benefits of, and
19 alternatives to such a transfer;

20 14. The patient or patient's representative has the right to
21 participate in the consideration of ethical issues that might arise
22 in the care of the patient. The hospital shall have a mechanism for
23 the consideration of ethical issues arising in the care of patients
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1 and to provide education to caregivers and patients on ethical
2 issues in health care;

3 15. To be advised of the hospital's complaint or grievance
4 process should the patient wish to communicate a concern regarding
5 the quality of care he or she receives. This includes whom to
6 contact to file a complaint. The patient will be provided with a
7 written notice of the complaint determination that contains the name
8 of the hospital's contact person, the steps taken on his or her
9 behalf to investigate the complaint, the results of the complaint
10 and, when possible, the resolution of the complaint concerning the
11 quality of care;

12 16. To examine and receive an explanation of his or her bill
13 regardless of source of payment;

14 17. To remain free from restraints or seclusion in any forms
15 that are not medically necessary or are used as a means of coercion,
16 discipline, convenience, or retaliation by staff;

17 18. To receive the visitors whom he or she designates,
18 including, but not limited to, a spouse, a domestic partner,
19 including a same-sex domestic partner, another family member, or a
20 friend. The patient has the right to withdraw or deny consent at
21 any time. Visitation will not be restricted, limited, or otherwise
22 denied on the basis of race, color, national origin, religion, sex,
23 or disability; and

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1 19. Through use of the hospital-issued notice of noncoverage,
2 Medicare beneficiaries have the right to be informed in advance of
3 procedures or treatment for which Medicare may deny payment, and
4 that the beneficiary may be personally responsible for full payment
5 if Medicare denies payment.

6 B. A patient, guardian of a patient, or legally authorized
7 representative of a patient shall have the following
8 responsibilities:

9 1. To provide accurate and complete information concerning the
10 patient's present complaints, past illnesses, hospitalizations,
11 medications, and other matters relating to his or her health;

12 2. To report perceived risks in the patient's care and
13 unexpected changes in his or her condition to the responsible health
14 care provider;

15 3. For the patient's actions should he or she refuse treatment
16 or not follow his or her doctor's orders;

17 4. To ask questions when the patient does not understand what
18 he or she has been told about the patient's care or what he or she
19 is expected to do;

20 5. To be considerate of the rights of other patients and
21 hospital personnel;

22 6. To participate in educational and discharge planning
23 activities necessary to ensure that he or she has adequate knowledge
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1 and support services to provide him or her with a safe environment
2 upon discharge from the hospital;

3 7. To ask the doctor or nurse what to expect regarding pain
4 management, to discuss pain relief options with doctors and nurses
5 and to help develop a pain management plan, to ask for pain relief
6 when pain first begins, to help doctors and nurses assess the
7 patient's pain, to tell the doctors and nurses if his or her pain is
8 not relieved, and to tell doctors and nurses about any concerns
9 about taking pain medication;

10 8. For keeping appointments and for notifying the hospital or
11 doctor when he or she is unable to do so;

12 9. Being respectful of his or her personal property and that of
13 other patients in the hospital;

14 10. Following hospital procedures; and

15 11. Assuring that the financial obligations of his or her care
16 is fulfilled as promptly as possible.

17 C. Any minor patient has the following rights when being
18 treated in this state:

19 1. To be treated with respect in regards to:

20 a. each child and adolescent as a unique individual, and

21 b. the caretaking role and individual response of the
22 parent and legal guardian;

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1 2. To provisions for normal physical and physiological needs of
2 a growing child including nutrition, rest, sleep, warmth, activity,
3 and freedom to move and explore. Minors shall have the right to:

- 4 a. appropriate treatment in the least restrictive
- 5 setting,
- 6 b. not receive unnecessary or excessive medication,
- 7 c. an individualized treatment plan and the right to
- 8 participate in the plan,
- 9 d. a humane treatment environment that provides
- 10 reasonable protection from harm and appropriate
- 11 privacy for personal needs,
- 12 e. separation from adult patients when possible, and
- 13 f. regular communication between the minor patient and
- 14 the patient's family or legal guardian;

15 3. To consistent, supportive, and nurturing care which:

- 16 a. meets the emotional and psychosocial needs of the
- 17 minor, and
- 18 b. fosters open communication;

19 4. To provisions for self-esteem needs which will be met by
20 attempts to give the minor:

- 21 a. the reassuring presence of a caring person, especially
- 22 a parent,
- 23 b. freedom to express feelings or fears with appropriate
- 24 reactions,

- c. as much control as possible over both self and situation,
- d. opportunities to work through experiences before and after they occur, verbally, in play, or in other appropriate ways, and
- e. recognition for coping well during difficult situations;

5. To provisions for varied and normal stimuli of life which contributes to cognitive, social, emotional, and physical developmental needs such as play, educational, and social activities essential to all children and adolescents;

6. To information about what to expect prior to, during, and following a procedure or experience and support in coping with it;

7. To participate in decisions affecting his or her own medical treatment; and

8. To the minimization of stay duration by recognizing discharge planning needs.

D. All parents and legal guardians of minor patients in this state shall have the following responsibilities:

1. To continue in his or her parenting role to the extent of his or her ability; and

2. To be available to participate in decision-making and provide staff with knowledge of other parent or family whereabouts.

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SECTION 3. This act shall become effective November 1, 2025.

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