

An Act

ENROLLED HOUSE
BILL NO. 2285

By: Wright of the House

and

Kidd of the Senate

An Act relating to public health and safety; amending 63 O.S. 2011, Section 1-707, which relates to the rules and standards relating to the public interest of hospitals; changing who is responsible for establishing rules and standards; modifying duties of the Oklahoma Hospital Advisory Council; and providing an effective date.

SUBJECT: Rules and standards for hospitals

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-707, is amended to read as follows:

Section 1-707. A. ~~The State Board of Health, upon the recommendation of the~~ State Commissioner of Health ~~and,~~ with the advice of the Oklahoma Hospital Advisory Council, shall promulgate rules and standards as ~~it~~ the Commissioner deems to be in the public interest for hospitals, on the following:

1. Construction plans and location, including fees not to exceed Two Thousand Dollars (\$2,000.00) for submission or resubmission of architectural and building plans, and procedures to ensure the timely review of such plans by the State Department of Health. ~~Said~~ The assessed fee shall be used solely for the purposes of processing approval of construction plans and location by the State Department of Health;

2. Physical plant and facilities;

3. Fire protection and safety;
4. Food service;
5. Reports and records;
6. Staffing and personal service;
7. Surgical facilities and equipment;
8. Maternity facilities and equipment;
9. Control of communicable disease;
10. Sanitation;
11. Laboratory services;
12. Nursing facilities and equipment; and
13. Other items as may be deemed necessary to carry out the purposes of this article.

B. 1. ~~The State Board of Health, upon the recommendation of the~~ State Commissioner of Health ~~and,~~ with the advice of the Oklahoma Hospital Advisory Council and the State Board of Pharmacy, shall promulgate rules and standards as ~~it~~ the Commissioner deems to be in the public interest with respect to the storage and dispensing of drugs and medications for hospital patients.

2. The State Board of Pharmacy shall be empowered to inspect drug facilities in licensed hospitals and shall report violations of applicable statutes and rules to the State Department of Health for action and reply.

C. 1. The Commissioner shall appoint an Oklahoma Hospital Advisory Council to advise the ~~Board, the Commissioner and the~~ Department regarding hospital operations and to recommend actions to improve patient care.

2. The Advisory Council shall have the duty and authority to:

- a. review and approve in its advisory capacity rules and standards for hospital licensure,

- b. evaluate, review and make recommendations regarding Department licensure activities~~;~~ provided however, the Advisory Council shall not make recommendations regarding scope of practice for any health care providers or practitioners regulated pursuant to Title 59 of the Oklahoma Statutes, and
- c. recommend and approve:
 - (1) quality indicators and data submission requirements for hospitals, ~~to include:~~
 - ~~(a) Agency for Healthcare Research and Quality (AHRQ) Patient Safety Indicators Available as part of the standard inpatient discharge data set, and~~
 - ~~(b) for acute care intensive care unit patients, ventilator-associated pneumonia and device-related blood stream infections, and~~
 - (2) the indicators and data to be used by the Department to monitor compliance with licensure requirements~~, and~~
- ~~d. to publish an annual report of hospital performance to include the facility specific quality indicators required by this section.~~

D. 1. The Advisory Council shall be composed of nine (9) members appointed by the Commissioner ~~with the advice and consent of the Board~~. The membership of the Advisory Council shall be as follows:

- a. two members shall be hospital administrators of licensed hospitals,
- b. two members shall be licensed physicians or practitioners who have current privileges to provide services in hospitals,
- c. two members shall be hospital employees, and

d. three members shall be citizens representing the public who:

(1) are not hospital employees,

(2) do not hold hospital staff appointments, and

(3) are not members of hospital governing boards.

2. a. Advisory Council members shall be appointed for three-year terms except the initial terms after November 1, 1999, of one hospital administrator, one licensed physician or practitioner, one hospital employee, and one public member shall be one (1) year. The initial terms after the effective date of this act of one hospital administrator, one licensed physician or practitioner, one hospital employee, and one public member shall be two (2) years. The initial terms of all other members shall be three (3) years. After initial appointments to the Council, members shall be appointed to three-year terms.

b. Members of the Advisory Council may be removed by the Commissioner for cause.

E. The Advisory Council shall meet on a quarterly basis and shall annually elect from among its members a chairperson. Members of the Council shall serve without compensation but shall be reimbursed by the Department for travel expenses related to their service as authorized by the State Travel Reimbursement Act.

SECTION 2. This act shall become effective November 1, 2019.

Passed the House of Representatives the 7th day of March, 2019.

Presiding Officer of the House
of Representatives

Passed the Senate the 17th day of April, 2019.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____