

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 719

By: Griffin

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5  
6 AS INTRODUCED

7 An Act relating to the State Department of Health;  
8 amending 63 O.S. 2011, Sections 1-704 and 1-707,  
9 which relate to hospital licensure and regulation;  
10 increasing certain fee; extending duration of certain  
11 licenses; requiring certain calculation of fees;  
12 limiting certain fees to certain amounts; authorizing  
13 fee for professional services; removing requirements  
14 relating to licensure; clarifying language; and  
15 providing an effective date.

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

17 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-704, is  
18 amended to read as follows:

19 Section 1-704. A. 1. The application by any person for a  
20 license to operate a hospital within the meaning of this article  
21 shall be accompanied by a fee to be determined by the number of beds  
22 available for patients, to be established by the State Board of  
23 Health, but not to exceed ~~Ten Dollars (\$10.00)~~ Twenty-five Dollars  
24 (\$25.00) for each bed included in the maximum bed capacity at such  
facility.

1           2. For the purpose of determining the fee, the total number of  
2 beds shall include cribs and bassinets.

3           B. No such fee shall be refunded unless licensure is refused.

4 All licenses shall be for a period of ~~twelve (12)~~ thirty-six (36)  
5 months from the date of issue. ~~Provided that licenses may be issued~~  
6 ~~for a period of more than twelve (12) months, but not more than~~  
7 ~~twenty-four (24) months, for the license period immediately~~  
8 ~~following the enactment of this provision in order to permit an~~  
9 ~~equitable distribution of license expiration dates to all months of~~  
10 ~~the year.~~

11           C. Fees for ~~such extended~~ the licensure period shall be  
12 ~~prorated according to the total months to be licensed, with such~~  
13 ~~amounts to be calculated to the nearest dollar~~ calculated per year  
14 of issuance or renewal.

15           D. All licenses:

16           1. Shall be on a form prescribed by the State Commissioner of  
17 Health and shall not be transferable or assignable;

18           2. Shall be issued only for the premises named in the  
19 application;

20           3. Shall be posted in a conspicuous place on the licensed  
21 premises; and

22           4. May be renewed for twelve-month periods upon application,  
23 investigation and payment of license fee, as in the case of  
24 procurement of an original license.

1 SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-707, is  
2 amended to read as follows:

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

8 1. Construction plans and location, including:

9 a. fees not to exceed ~~Two Thousand Dollars (\$2,000.00)~~  
10 fifteen one-hundredths percent (0.15%) of the cost of  
11 design and construction of the project for submission  
12 or resubmission of ~~architectural and building plans~~  
13 functional programs and design and construction plans  
14 and specifications, and procedures to ensure the  
15 timely review of such plans by the State Department of  
16 Health.—~~Said,~~

17 b. fees not to exceed Two Thousand Dollars (\$2,000.00)  
18 for optional Department services, including  
19 professional consultations, courtesy on-site  
20 construction inspections and reviews of applications  
21 for self-certification of compliance, and

22 c. the assessed fee shall be used solely for the purposes  
23 of processing approval of construction plans and  
24

1 location and providing related service by the State  
2 Department of Health;

3 2. Physical plant and facilities;

4 3. Fire protection and safety;

5 4. Food service;

6 5. Reports and records;

7 6. Staffing and personal service;

8 7. Surgical facilities and equipment;

9 8. Maternity facilities and equipment;

10 9. Control of communicable disease;

11 10. Sanitation;

12 11. Laboratory services;

13 12. Nursing facilities and equipment; and

14 13. Other items as may be deemed necessary to carry out the  
15 purposes of this article.

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

22 2. The State Board of Pharmacy shall be empowered to inspect  
23 drug facilities in licensed hospitals and shall report violations of  
24

1 applicable statutes and rules to the State Department of Health for  
2 action and reply.

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

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

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

10 b. evaluate, review and make recommendations regarding  
11 Department licensure activities, provided however, the  
12 Advisory Council shall not make recommendations  
13 regarding scope of practice for any health care  
14 providers or practitioners regulated pursuant to Title  
15 59 of the Oklahoma Statutes, and

16 c. recommend and approve:

17 (1) quality indicators and data submission  
18 requirements for hospitals, to include:

19 (a) Agency for Healthcare Research and Quality  
20 (AHRQ) Patient Safety Indicators Available  
21 as part of the standard inpatient discharge  
22 data set, and  
23  
24

1 (b) for acute care intensive care unit patients,  
2 ventilator-associated ~~pneumonia~~ event and  
3 device-related blood stream infections, and

4 (2) the indicators and data to be used by the  
5 Department to monitor compliance with licensure  
6 requirements, and

7 d. to publish an annual report of hospital performance to  
8 include the facility specific quality indicators  
9 required by this section.

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

14 a. two members shall be hospital administrators of  
15 licensed hospitals,

16 b. two members shall be licensed physicians or  
17 practitioners who have current privileges to provide  
18 services in hospitals,

19 c. two members shall be hospital employees, and

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

22 (1) are not hospital employees,

23 (2) do not hold hospital staff appointments, and

24 (3) are not members of hospital governing boards.

