

1 STATE OF OKLAHOMA

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

3 SENATE BILL 754

By: Treat

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5
6 AS INTRODUCED

7 An Act relating to abortion; requiring State Board of
8 Health to establish certain policies and procedures
9 and to promulgate rules; requiring inspections of
10 certain facilities prior to issuance or reissuance of
11 certain license; permitting State Commissioner of
12 Health and designated personnel to enter and inspect
13 certain facilities; providing acquiescence by certain
14 entities for certain purposes; permitting State
15 Commissioner of Health to take certain actions for
16 certain violations; providing for codification; and
17 providing an effective date.

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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 1-749.2 of Title 63, unless
there is created a duplication in numbering, reads as follows:

A. The State Board of Health shall establish policies and
procedures for conducting pre-licensure and re-licensure inspections
of abortion facilities. Prior to issuing or reissuing a license,
the Department shall conduct an on-site inspection to ensure
compliance with the rules promulgated by the Board.

1 B. The Board shall promulgate rules for conducting inspections
2 and investigations pursuant to complaints received by the State
3 Department of Health and made against any abortion facility. The
4 Department shall receive, record and dispose of complaints in
5 accordance with established policies and procedures.

6 C. If the State Commissioner of Health determines that there is
7 reasonable cause to believe a licensee, licensed abortion facility
8 or abortion facility that is required to be licensed in this state
9 is not adhering to the requirements of Section 1-729a et seq. of
10 Title 63 of the Oklahoma Statutes, local fire ordinances or rules or
11 any other law, administrative rule or regulation relating to
12 abortion, the Commissioner and any duly designated employee or agent
13 of the Commissioner including employees of county or city-county
14 health departments and county or municipal fire inspectors,
15 consistent with standard medical practices, may enter on and into
16 the premises of the licensee, licensed abortion facility or abortion
17 facility that is required to be licensed in this state during
18 regular business hours of the licensee or abortion facility to
19 determine compliance with the provisions of Section 1-729a et seq.
20 of Title 63 of the Oklahoma Statutes, local fire ordinances or
21 rules, and any other law, administrative rule or regulation relating
22 to abortion.

23 D. An application for a license to operate a private office,
24 freestanding outpatient clinic or other facility or clinic in which

1 abortions are performed constitutes permission for, and complete
2 acquiescence in, an entry or inspection of the premises during the
3 pendency of the application and, if licensed, during the term of the
4 license.

5 E. If an inspection or investigation conducted pursuant to this
6 section reveals that an applicant, licensee or licensed abortion
7 facility is not adhering to the requirements of this section, the
8 provisions of Title 1-729a et seq. of Title 63 of the Oklahoma
9 Statutes, local fire ordinances or rules and any other law,
10 administrative rule or regulation relating to abortion, the
11 Commissioner may take action to deny, suspend, revoke or refuse to
12 renew a license to operate an abortion facility.

13 SECTION 2. This act shall become effective November 1, 2017.

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