



Oklahoma State Department of Health
Creating a State of Health

Agenda for the Public Hearing Conducted by the Oklahoma State Department of Health

**Thursday, November 3, 2016
10:00 a.m. until adjourned**

**Oklahoma State Department of Health
1000 N.E. 10th Street – Room 1102
Oklahoma City, OK 73117-1299
Posted at www.health.ok.gov**

Regarding Proposed Rulemaking tentatively scheduled for the December 13, 2016 Board of Health Meeting

Anyone desiring to comment on any proposed rule must register at the hearing between 9:45 a.m. and 10:00 a.m.; must list the specific proposed rule, chapter and section they desire to address; and the organization they represent, if any. Listing the name of an organization indicates that the speaker has the authority to represent the organization as its spokesperson. Time allocation for each speaker will be determined at the time of the hearing based upon the number of registered speakers and will be strictly adhered to. Every attempt will be made to accommodate each individual desiring to speak within the time restraints established by the moderator. Organizations may be limited to one speaker per chapter.

A. CALL TO ORDER AND OPENING REMARKS

B. PUBLIC COMMENT ON THE FOLLOWING:

For a detailed description of the impact of the proposed rules, refer to the Rule Impact Statement.

CHAPTER 2. PROCEDURES OF THE STATE DEPARTMENT OF HEALTH
RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

- Subchapter 31. Humanity of the Unborn Child Act [NEW]
- 310:2-31-1. Purpose [NEW]
- 310:2-31-2. Definitions [NEW]
- 310:2-31-3. Signage [NEW]
- 310:2-31-4. Language and web portal requirements [NEW]

SUMMARY:

These proposed regulations, if adopted, will implement the Department's requirements contained in House Bill Number 2797, from the 2nd Session of the 55th Oklahoma Legislature (2016) known as "Humanity of the Unborn Child Act" and codified at 63 O.S. § 1-751 et seq. The proposed regulations set forth the requirements to be used by facilities regulated by the Department to place signage in

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restrooms and other areas in
compliance with the Act.

See the Notice of Rulemaking Intent and Rule Impact Statement for a complete discussion of the
proposed rules

CHAPTER 15. CLINICAL TRIALS ON THE USE OF CANNABIDIOLRULEMAKING

ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. Purpose and Definitions 310:15-1-2. Definitions [AMENDED]

Subchapter 3. Physician Application and Reporting 310:15-3-1. Physician application
[AMENDED]

SUMMARY:

These proposed regulations, if adopted, will implement the agency's requirements from House Bill
Number 2835, from the 2nd Session of the 55th Oklahoma Legislature (2016), codified at 63 O.S. §§
2-801 through 2-805. The proposed regulations would remove the age limitation for clinic l trials on
the use of
cannabidiol as required by the House Bill.

See the Notice of Rulemaking Intent and Rule Impact Statement for a complete discussion of the
proposed rules

CHAPTER 515. COMMUNICABLE DISEASE AND INJURY REPORTING

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. Disease and Injury Reporting

310:515-1-1.1. Definitions [AMENDED]

310:515-1-2. Diseases to be reported [AMENDED]

310:515-1-3. Diseases to be reported immediately[AMENDED]

310:515-1-4. Additional diseases, conditions, and injuries to be reported [AMENDED]

310:515-1-6. Additional diseases may be designated [AMENDED]

310:515-1-7. Control of Communicable Diseases Manual [AMENDED]

310:515-1-8. Organisms/specimens to be sent to the Public Health Laboratory [AMENDED]

SUMMARY:

The proposal updates the existing rules in accordance with recommendations from the Council of
State and Territorial Epidemiologists (CSTE), the Centers for Disease Control and Prevention, and
local health care partners pertaining to reportable diseases. The proposal amends the lists of reportable
diseases, in order to clarify those conditions and diseases that are required to be reported to the
Department. The proposal also adds conditions of public health importance that require investigation
and implementation of prevention activities, including the addition of carbapenem-resistant
Enterobacteriaceae as isolates required to be submitted to the Public Health Laboratory for additional

characterization. These changes minimally increase the reporting burden placed upon clinicians and laboratories, and do not adversely affect the public health disease control and prevention activities.

The proposal removes the reference to a "non-versioned/non-codified" document which could further specify requirements of reporting. This change will eliminate any possibility of requirements that are not stated in rule. The proposal will also change the current level of blood lead that must be reported within one week from greater than 10 µg/dL to greater than 5 µg/dL. The proposed rules also change the blood lead level to be reported within 1 month from less than 10 µg/dL to less than 5 µg/dL. This is in accordance with CDC guidelines and the newly established reference level for elevated blood lead. This proposal changes the current reporting guidance for hepatitis C to include persons of all ages, and lowers the alanine aminotransferase (ALT) levels for reporting from 400 to 200. This modification is in accordance with the CSTE case definition for hepatitis C that was revised effective January 1, 2016. Lastly, the proposal will more clearly specify which syphilis tests are required for reporting to the Department.

With these changes, the Department will receive timely reporting of information on suspected cases of infection and thus be better equipped to respond quickly and effectively to disease outbreaks or unusual or uncommon adverse health conditions.

See the Notice of Rulemaking Intent and Rule Impact Statement for a complete discussion of the proposed rules.

CHAPTER 663 . CONTINUUM OF CARE AND ASSISTED LIVING
RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 15. Resident Rights and Responsibilities

310:663-15-4. Prohibited restrictions and fees [NEW]

SUMMARY:

This proposal adds OAC 310:663-15-4 as new rule to address requirements in statute related a resident's freedom of choice in physician and pharmacist and prohibits any financial penalty or fee for their choice. This change enacts the authorizing statute at Title 63 O.S. Section 1-890.3(A)(8). This change enumerates the resident rights and defines the responsibilities to be observed by each facility and its staff.

See the Notice of Rulemaking Intent and Rule Impact Statement for a complete discussion of the proposed rules.

C. ADJOURNMENT