I move to amend House Bill No. 2686 as follows:

1. On Page 1, Line 13 1/2, by inserting the following new Section 1 and renumbering subsequent sections:

   “SECTION 1. NEW LAW   A new section of law not to be codified in the Oklahoma Statutes reads as follows:

   This act shall be known and may be cited as the “Hannah McKenzie Act of 2023”.”

2. On Page 4, Line 10, by removing Section 2 and inserting the attached new Sections 2 and 3; and

3. By amending the title to conform.

Submitted by:

_____________________
Senator Burns

Burns-DC-FA2-HB2686
4/25/2023 5:25 PM
SECTION 2. AMENDATORY 59 O.S. 2021, Section 478.1, is amended to read as follows:

Section 478.1. A. Unless otherwise prohibited by law, a valid physician-patient relationship may be established by an allopathic or osteopathic physician with a patient located in this state through telemedicine, provided that the physician:

1. Holds a license to practice medicine in this state;
2. Confirms with the patient the patient's identity and physical location; and
3. Provides the patient with the treating physician's identity and professional credentials.

B. Telemedicine encounters shall comply with the Health Insurance Portability and Accountability Act of 1996 and ensure that all patient communications and records are secure and confidential.

C. Telemedicine encounters in this state shall not be used to establish a valid physician-patient relationship for the purpose of prescribing opiates, synthetic opiates, semisynthetic opiates, benzodiazepine or carisprodol, but may be used to prescribe opioid:

1. Opioid antagonists or partial agonists pursuant to Sections 1-2506.1 and 1-2506.2 of Title 63 of the Oklahoma Statutes; or
2. A Schedule III, IV, or V controlled dangerous substance approved by the United States Food and Drug Administration for

(Floor Amendments Only) Date and Time Filed: ________________
☐ Untimely ☐ Amendment Cycle Extended ☐ Secondary Amendment
medication assisted treatment or detoxification treatment for
substance use disorder.

D. A physician-patient relationship shall not be created
solely based on the receipt of patient health information by a
physician. The duties and obligations created by a physician-
patient relationship shall not apply until the physician
affirmatively:

1. Undertakes to diagnose and treat the patient; or

SECTION 3. It being immediately necessary for the preservation
of the public peace, health or safety, an emergency is hereby
declared to exist, by reason whereof this act shall take effect and
be in full force from and after its passage and approval.