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"The State Medical Board still has the right to bring an injunction against anyone practicing outside the scope of their capabilities," Steidley remarked. "Under Title 12, they still have the right to ask for a declaratory judgment."

Rep. Russ Roach, D-Tulsa, questioned Steidley on the intent of the bill. "Isn't this bill first and foremost about laser surgery," Roach asked Steidley.

"This has nothing to do with that," Steidley asserted.

Roach told Steidley that the Legislature has reviewed many bills involving boards. Those boards are usually trying to expand their scope of practice. "If your bill passes, it will interfere with existing lawsuits and will allow boards to define their own scope of practice," he said.

"The State Medical Licensure Board could do that now," Steidley maintained.

Rep. Don Ross, D-Tulsa, told Steidley that he did not have a problem with boards suing one another. Ross explained there was a much larger problem. "The specific focus is a question of laser surgery," he said. "The driving force to my decision in voting for or against the bill, addresses the qualifications of those who perform this type of procedure."

Rep. Robert Worthen, R-Oklahoma City, told members that if the bill did not pass, any procedure that became unattractive publicly could be stopped by the State Medical Licensure Board.

Rep. Ray Vaughn, R-Edmond, offered a floor amendment that allows individuals to seek legal recourse if they believe their optometrist is incompetent. The amendment received an approval. The amendment also dates the legislation to not interfere with the current lawsuit by the State Medical Board against the Optometric Association.

Rep. Forrest Claunch, R-Midwest City and Rep. William Paulk, D-Oklahoma City debated in favor of the bill. The lawmakers agreed that there have been no complaints on the qualifications of optometrists. Both lawmakers concurred the real issue focused on the power of the boards.

Rep. Fred Perry, R-Tulsa, debated against the measure. Perry said he believed the measure did not set a good precedent.

Rep. Jim Glover, D-Elgin, also debated in favor of the bill. "This was discussed in committee," he said. "In fact, Roach presented a bill during that time that would allow all boards to sue one another." Glover explained that supporters of the bill never argued over patient access and that the bill would not authorize nor limit any procedure.

Steidley concluded the debate. "If we do not want a good optometry board, then we should rethink the whole process," he said. "Times have changed. People used to call osteopaths quacks." Steidley urged members to vote in favor of his bill. Members voted 83 to 18 in favor of the bill.

FROM: MARTA MCCLOSKEY

DATE: 03/07/96

HOUSE BILLS MOVE FROM SENATE HUMAN RESOURCES COMMITTEE

■(GIT) The Senate Human Resources Committee met Thursday, moving its first set of House bills this session.

HB1066, by Rep. Al Sadler, D-Ardmore, would expand the definition of "licensed mental health professional" to include licensed marital and family therapist. A committee substitute, the measure received a vote of 8 to 2 after having its title stricken.

HB2243, by Rep. Wayne Cozort, R-Tulsa, allows the use of physical force under certain circumstances in an institution that houses a minor. The committee substitute received a vote of 8 to 0.

HB2385, by Rep. Mark Seikel, D-Harrah, requires confidentiality for review of ethical complaints for determining qualified corporations. With a vote of 10 to 0, the measure passed.

HB2438, by Rep. Joe Eddins, D-Vinita, allows administrators of ICF-MR/16 facilities to supervise more than one facility providing those facilities are within a 20 mile radius. A committee substitute with a stricken title, the measure received a vote of 10 to 0.

HB2478, by Rep. Betty Boyd, D-Tulsa, received a vote of 10 to 1, passing it out of committee.

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