The Oklahoma Osteopathic Medicine Act
O.S. 59 Sections 620-645, 650

REGULATION AND LICENSING

Chapter 14 - Oklahoma Osteopathic Medicine Act

Section 620 - Short Title

A. Sections 620 through 645 of this title shall be known and may be cited as the "Oklahoma Osteopathic Medicine Act".
B. B. The practice of osteopathic medicine is a privilege granted through the Oklahoma Osteopathic Medicine Act by the State Board of Osteopathic Examiners.

Section 621 - Osteopathy - Definition of

As used in the Oklahoma Osteopathic Medicine Act:

"Osteopathic medicine" means a system of health care founded by Andrew Taylor Still and based on the theory that the body is capable of making its own remedies against disease and other toxic conditions when it is in normal structural relationship and has favorable environmental conditions and adequate nutrition. Osteopathic medicine utilizes generally accepted physical, pharmacological and surgical methods of diagnosis and therapy while placing strong emphasis on the importance of body mechanics and manipulative methods to detect and correct faulty structure and function.

Section 622 - Practice Without License - Liability of Hospital

A. 1. Except as otherwise provided by this section, it shall be unlawful for any person to practice as an osteopathic physician and surgeon in this state, without a license to do so, issued by the State Board of Osteopathic Examiners; provided, that any license or certificate issued under the laws of this state, authorizing its holder to practice osteopathic medicine, shall remain in full force and effect. Persons who hold themselves out as osteopathic physicians in this state without a license issued by the State Board of Osteopathic Examiners submit themselves to the jurisdiction of the State Board of Osteopathic Examiners.
2. Osteopathic physicians engaged in postgraduate training beyond the internship year, also known as PGY-1, shall be licensed. Osteopathic physicians engaged in the internship or PGY-1 year may be eligible for a resident training license.
3. Osteopathic physicians engaged in interventional pain management pursuant to the Oklahoma Interventional Pain Management and Treatment Act shall be licensed by the State Board of Osteopathic Examiners.
B. 1. A person within or outside of this state who performs through electronic communications diagnostic or treatment services within the scope of practice of an osteopathic physician and surgeon, including but not limited to, stroke prevention and treatment, for any patient whose condition is being diagnosed or treated within this state shall be licensed in this state, pursuant to the provisions of the Oklahoma Osteopathic Medicine Act. However, in such cases, a

nonresident osteopathic physician who, while located outside this state, consults on an irregular basis with a physician who is located in this state is not required to be licensed in this state.
2. Any osteopathic physician licensed in this state who engages in the prescription of drugs, devices, or treatments via electronic means may do so only in the context of an appropriate physician/patient relationship wherein a proper patient record is maintained including, at the minimum, a current history and physical.
3. Any commissioned medical officer of the armed forces of the United States or medical officer of the United States Public Health Service or the Veterans Administration of the United States, in the discharge of official duties and/or within federally controlled facilities, who is fully licensed to practice osteopathic medicine and surgery in one or more jurisdictions of the United States shall not be required to be licensed in this state pursuant to the Oklahoma Osteopathic Medicine Act, unless the person already holds an osteopathic medical license in this state pursuant to the Oklahoma Osteopathic Medicine Act. In such case, the medical officer shall be subject to the Oklahoma Osteopathic Medicine Act.
4. A person who performs any of the functions covered by this subsection submits themselves to the jurisdiction of the courts of this state for the purposes of any cause of action resulting from the functions performed.
C. A hospital or related institution, as such terms are defined in Section 1-701 of Title 63 of the Oklahoma Statutes, which has the principal purpose or function of providing hospital or medical care, including but not limited to any corporation, association, trust, or other organization organized and operated for such purpose, may employ one or more persons who are duly licensed to practice osteopathic medicine in this state without being regarded as itself practicing osteopathic medicine within the meaning and provisions of this section. The employment by the hospital or related institution of any person who is duly licensed shall not, in and of itself, be considered as an act of unprofessional conduct by the person so employed. Nothing provided herein shall eliminate, limit or restrict the liability for any act or failure to act of any hospital, any hospital's employees or persons duly licensed to practice osteopathic medicine.

Section 623 - Medicine and Surgery - Not Affected by This Act

The practice of medicine and surgery by persons authorized under other licensing laws of this state shall in no way be affected by the provisions of the Oklahoma Osteopathic Medicine Act.

Section 624 - State Board of Osteopathic Examiners - Appointment - Duties - Compensation - Disposition of Fees

A. There is hereby re-created the State Board of Osteopathic Examiners to continue until July 1, 2015, in accordance with the provisions of the Oklahoma Sunset Law.
B. The State Board of Osteopathic Examiners shall consist of eight (8) examiners appointed by the Governor, two of whom shall be lay persons. The remaining examiners shall be regularly licensed osteopathic physicians in good standing in this state who have been so engaged for a period of at least five (5) years immediately prior to their appointment. The osteopathic physician examiners shall be appointed by the Governor from a list of not less than six names submitted to the Governor by the Oklahoma Osteopathic Association annually, and any present member of the Board of Examiners shall be appointed to fill out the unexpired term. All appointments made to the Board shall be for terms of seven (7) years. In the event of a vacancy

brought about for any reason, the post so vacated shall be filled from a list of not less than six names submitted by the Oklahoma Osteopathic Association.
C. The Board shall have and use a common seal, and make and adopt all necessary rules relating to the enforcement of the provisions of the Oklahoma Osteopathic Medicine Act. Each Board member shall receive the daily per diem rate for state employees. Travel expenses allowed under the State Travel Reimbursement Act shall also be provided to Board members traveling more than fifty (50) miles to the location of all regular and special Board meetings.

Section 625 - Same Oath of Members - Qualifications

Each member of said Board shall, before entering upon the duties of the office, take the oath of office prescribed by the Constitution before someone qualified to administer oaths, and shall, except for the lay person, make oath that the member is a legally qualified practitioner of osteopathic medicine in this state; and that the member has been engaged in the active practice of osteopathic medicine in this state at least five (5) years preceding the appointment of such member.

Section 626 - Election of Officers - Bonds - Expenditures - Consent to Inspect Records

A. 1. The State Board of Osteopathic Examiners shall, immediately after the members have qualified, elect a president, vice-president and secretary-treasurer.
2. The president of said Board shall preside at all meetings of the Board and perform such other duties as the Board by its rule may prescribe.
3. The vice-president shall perform all the duties of the president, during the president's absence or disability.
4. The secretary-treasurer shall keep a record of all proceedings of the Board and perform such other duties as are prescribed in the Oklahoma Osteopathic Medicine Act, or which may be prescribed by said Board. It shall be the duty of the secretary-treasurer to receive and care for all monies coming into the hands of said Board, and to pay out the same upon orders of the Board.
B. The State Board and such employees as determined by the Board shall be bonded as required by Sections 85.26 through 85.31 of Title 74 of the Oklahoma Statutes.
C. The State Board may expend such funds as are necessary in implementing the duties of the Board. The Board may hire:
1. An executive director and all necessary administrative, clerical and stenographic assistance as the Board shall deem necessary at a salary to be fixed by the Board;
2. An attorney, on a case-by-case basis, to represent the Board in legal matters and to assist authorized state and county officers in prosecuting or restraining violations of the provisions of the Oklahoma Osteopathic Medicine Act. The Board shall fix the compensation of said attorney; and
3. One or more investigators at least one of whom shall be certified by the Council on Law Enforcement Education and Training as a peace officer, as may be necessary to implement the provisions of the Oklahoma Osteopathic Medicine Act at an annual salary to be fixed by the Board, and may authorize necessary expenses. In addition, the investigators may investigate and inspect the nonfinancial business records of all persons licensed pursuant to the Oklahoma Osteopathic Medicine Act in order to determine whether or not licensees are in compliance with the Oklahoma Osteopathic Medicine Act and the Uniform Controlled Dangerous Substances Act

or any other law, rule of the State of Oklahoma or any federal law or rule affecting the practice of osteopathic medicine.
D. Any licensee or applicant for license subject to the provisions of the Oklahoma Osteopathic Medicine Act shall be deemed to have given consent to any duly authorized employee or agent of the Board to access, enter, or inspect the records, either on-site or at the Board office, or facilities of such licensee or applicant subject to the Oklahoma Osteopathic Medicine Act. Refusal to allow such access, entry, or inspection may constitute grounds for the denial, nonrenewal, suspension, or revocation of a license. Upon refusal of such access, entry, or inspection, pursuant to this section, the Board or a duly authorized representative may make application for and obtain a search warrant from the district court where the facility or records are located to allow such access, entry, or inspection.

Section 627 - Preservation of Record of Proceedings - Official Copy of Register

The State Board of Osteopathic Examiners shall preserve a record of its proceedings which shall be open to public inspection at all reasonable times, showing:
1. The name, age, and place of residence of each applicant;
2. The time spent in the study of osteopathic medicine;
3. The year and school from which degrees were granted;
4. Its proceeding relative to the issuance, refusal, renewal, suspension, or revocation of licenses applied for, and issued pursuant to the Oklahoma Osteopathic Medicine Act; and
5. The name, known place of business and residence, and the date and number of license of each registered osteopathic physician and surgeon.
The register shall be prima facie evidence of all matters contained therein.
B. The secretary of said Board shall on the first of March of each year submit an official copy of said register to the Secretary of State for permanent record. A certified copy of said register, or any part thereof, with the hand and seal of the secretary of said State Board of Osteopathic Examiners, or the Secretary of State, shall be admitted in evidence in all courts of the state.
C. It shall be the responsibility of each osteopathic physician licensed under this act to provide the Board with a notice of change of address within fourteen (14) business days after any relocation of practice activity.

Section 628 - Repealed by Laws 2001, SB 154, c. 14, § 10, eff. November 1, 2001

Repealed by Laws 2001, SB 154, c. 14, § 10, eff. November 1, 2001

Section 629 - Standards of Preliminary Education Required

The standards of preliminary education deemed requisite for admission to an accredited osteopathic school, college or institution in good standing are that an applicant shall have completed the admission requirements of an osteopathic college accredited by the Bureau of Professional Education of the American Osteopathic Association.

Section 630 - Standards of Professional Education

To practice as an osteopathic physician, the applicant shall be a graduate of a school or college of osteopathic medicine which is accredited by the Bureau of Professional Education of the American Osteopathic Association and shall have completed at least one (1) year of rotating internship or the equivalent thereof, in an accredited internship or residency program acceptable to the Board.

Section 631 - School of Osteopathic - Definition of

The term school or college of osteopathic medicine shall mean a legally chartered and accredited school or college of osteopathic medicine requiring:
1. For admission to its courses of study, a preliminary education equal to the requirements established by the Bureau of Professional Education of the American Osteopathic Association; and
2. For granting the D.O. degree, Doctor of Osteopathy or Doctor of Osteopathic Medicine, actual attendance at such osteopathic school or college and demonstration of successful completion of the curriculum and recommendation for graduation.

Section 632 – Examination

A. The examination of those who desire to practice as osteopathic physicians shall embrace those general subjects and topics, a knowledge of which is commonly and generally required of candidates for a D.O. degree, Doctor of Osteopathy or Doctor of Osteopathic Medicine, by accredited osteopathic colleges in the United States. An examination furnished by the National Board of Osteopathic Medical Examiners shall be deemed to fulfill this requirement.
B. The applicant may be accepted who has successfully completed the examination sequence of the National Board of Osteopathic Medical Examiners and meets all other requirements.

Section 633 - Issuance of License to Examination Passers

Each applicant who has met all requirements for licensure shall be issued a license to practice as an osteopathic physician and surgeon. Upon application, the State Board of Osteopathic Examiners may also issue special licenses, including a Temporary License, a Resident Training License, a Telemedicine License or a Military Spouse License.

Section 634 - Issuance of License without Examination

The State Board of Osteopathic Examiners may issue a license without examination to a practitioner who is currently licensed in any country, state, territory or province, upon the following conditions:
1. That the applicant is of good moral character;
2. That the requirements of registration in the country, state, territory or province in which the applicant is licensed are deemed by the State Board to have been equivalent to the requirements of registration in force in this state at the date of such license;

3. That the applicant has no disciplinary matters pending against him in any country, state, territory or province; and
4. That the license being reciprocated must have been obtained by an examination in that country, state, territory or province deemed by the Board to be equivalent to that used by the Board, or obtained by examination of the National Board of Osteopathic Medical Examiners.

Section 635 - Repealed by Laws 1990, HB 1728, c. 163, § 7, eff. September 1, 1990

Repealed by Laws 1990, HB 1728, c. 163, § 7, eff. September 1, 1990

Section 635.1 – Volunteer Medical License to Treat Indigent and Needy - Retired Physicians

A. There is established a special volunteer medical license for physicians who are retired from active practice and wish to donate their expertise for the medical care and treatment of indigent and needy persons of the state. The special volunteer medical license shall be:
1. Issued by the State Board of Osteopathic Examiners to eligible physicians;
2. Issued without a payment of an application fee, license fee or renewal fee;
3. Issued or renewed without any continuing education requirements;
4. Issued for a fiscal year or part thereof; and
5. Renewable annually upon approval of the Board.
B. A physician must meet the following requirements to be eligible for a special volunteer medical license:
1. Completion of a special volunteer medical license application, including documentation of the physician's osteopathic school graduation and practice history;
2. Documentation that the physician has been previously issued a full and unrestricted license to practice medicine in Oklahoma or in another state of the United States and that he or she has never been the subject of any medical disciplinary action in any jurisdiction;
3. Acknowledgement and documentation that the physician's practice under the special volunteer medical license will be exclusively and totally devoted to providing medical care to needy and indigent persons in Oklahoma or to providing care under the Oklahoma Medical Reserve Corps; and
4. Acknowledgement and documentation that the physician will not receive or have the expectation to receive any payment or compensation, either direct or indirect, for any medical services rendered under the special volunteer medical license.

Section 635.2 - Temporary Resident License for Rotations in Oklahoma

A. There is established a temporary resident license for out-of-state residents to perform one- or two-month training rotations in this state. The temporary resident license shall be:
1. Issued by the State Board of Osteopathic Examiners to eligible physicians;
2. Issued without any continuing education requirements;
3. Issued for no more than six (6) months; and
4. Renewable only once upon payment of the fee.
B. The temporary resident license shall not permit:
1. The physician to apply for prescribing privileges from any state or federal authority;

2. The physician to practice medicine outside the scope allowed by the Oklahoma training program;
3. The licensee to practice independent of the residency program; or
4. Guaranteed subsequent full licensure in Oklahoma as an osteopathic physician.
C. Any application for full licensure shall be adjudged by the Board on its own merits including training, education, and personal background.
D. A physician shall meet the following requirements to be eligible for a temporary resident license:
1. Completion of a temporary resident license application;
2. Payment of the application fee; and
3. Documentation from the applicant's primary training program recommending the physician and stating the applicant meets all the requirements for such licensure.

Section 635.3 - Resident Training License

A. There is established in this state a resident training license for medical school graduates during their internship or first postgraduate year (PGY-1). The resident training license shall be:
1. Issued by the State Board of Osteopathic Examiners to eligible physicians;
2. Issued without any continuing education requirements;
3. Issued for no more than one (1) year; and
4. Nonrenewable unless renewal is specifically approved by the State Board of Osteopathic Examiners.
B. If the physician's resident training program specifically approves the resident to have prescribing authority, the resident training license shall permit the physician to apply for prescribing privileges from state or federal authorities.
C. The resident training license shall not permit:
1. The physician to practice medicine beyond the scope allowed by the physician's training program;
2. The licensee to practice independent of the residency program;
D. The resident training license is not a prerequisite to participation in any internship or PGY-1 training program
E. Any person holding a resident training license is not guaranteed subsequent full licensure in Oklahoma as an osteopathic physician.
F. Any application for full licensure shall be adjudged by the Board on its own merits including training, education and personal background.
G. A physician shall meet the following requirements to be eligible for a resident training license:
1. Completion of a resident training license application;
2. Payment of the application fee; and
3. Documentation from the applicant's Oklahoma training program recommending the physician and stating the applicant meets all the requirements for such licensure.

Section 636 - Osteopathic Physicians – Reports

Osteopathic physicians shall observe and be subject to all state and municipal regulations relative to reporting all births and deaths, and all matters pertaining to the public health, with equal rights and obligations as physicians of other schools of medicine, and such reports shall be accepted by the officers of the department to which such reports are made.

Section 637 - Refusal, Suspension, or Revocation of License - Witnesses and Evidence

A. The State Board of Osteopathic Examiners may refuse to admit a person to an examination or may refuse to issue or reinstate or may suspend or revoke any license issued or reinstated by the Board upon proof that the applicant or holder of such a license:
1. Has obtained a license, license renewal or authorization to sit for an examination, as the case may be, through fraud, deception, misrepresentation or bribery; or has been granted a license, license renewal or authorization to sit for an examination based upon a material mistake of fact;
2. Has engaged in the use or employment of dishonesty, fraud, misrepresentation, false promise, false pretense, unethical conduct or unprofessional conduct, as may be determined by the Board, in the performance of the functions or duties of an osteopathic physician, including but not limited to the following:
a. obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for visits to the physician's office which did not occur or for services which were not rendered,
b. using intimidation, coercion or deception to obtain or retain a patient or discourage the use of a second opinion or consultation,
c. willfully performing inappropriate or unnecessary treatment, diagnostic tests or osteopathic medical or surgical services,
d. delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience or licensure to perform them, noting that delegation may only occur within an appropriate doctor/patient relationship, wherein a proper patient record is maintained including, but not limited to, at the minimum, a current history and physical,
e. misrepresenting that any disease, ailment, or infirmity can be cured by a method, procedure, treatment, medicine or device,
f. acting in a manner which results in final disciplinary action by any professional society or association or hospital or medical staff of such hospital in this or any other state, whether agreed to voluntarily or not, if the action was in any way related to professional conduct, professional competence, malpractice or any other violation of the Oklahoma Osteopathic Medicine Act,
g. signing a blank prescription form; or dispensing, prescribing, administering or otherwise distributing any drug, controlled substance or other treatment without sufficient examination or the establishment of a physician/patient relationship, or for other than medically accepted therapeutic or experimental or investigational purpose duly authorized by a state or federal agency, or not in good faith to relieve pain and suffering, or not to treat an ailment, physical infirmity or disease, or violating any state or federal law on controlled dangerous substances,
h. engaging in any sexual activity within a physician/patient relationship,
i. terminating the care of a patient without adequate notice or without making other arrangements for the continued care of the patient,

j. failing to furnish a copy of a patient's medical records upon a proper request from the patient or legal agent of the patient or another physician; or failing to comply with any other law relating to medical records,
k. failing to comply with any subpoena issued by the Board,
l. violating a probation agreement or order with this Board or any other agency, and
m. failing to keep complete and accurate records of purchase and disposal of controlled drugs or narcotic drugs;
3. Has engaged in gross negligence, gross malpractice or gross incompetence;
4. Has engaged in repeated acts of negligence, malpractice or incompetence;
5. Has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere in a criminal prosecution, for any offense reasonably related to the qualifications, functions or duties of an osteopathic physician, or for any offense involving moral turpitude, whether or not sentence is imposed, and regardless of the pendency of an appeal;
6. Has had the authority to engage in the activities regulated by the Board revoked, suspended, restricted, modified or limited, or has been reprimanded, warned or censured, probated or otherwise disciplined by any other state or federal agency whether or not voluntarily agreed to by the physician including, but not limited to, the denial of licensure, surrender of the license, permit or authority, allowing the license, permit or authority to expire or lapse, or discontinuing or limiting the practice of osteopathic medicine pending disposition of a complaint or completion of an investigation;
7. Has violated, or failed to comply with provisions of any act or regulation administered by the Board;
8. Is incapable, for medical or psychiatric or any other good cause, of discharging the functions of an osteopathic physician in a manner consistent with the public's health, safety and welfare;
9. Has been guilty of advertising by means of knowingly false or deceptive statements;
10. Has been guilty of advertising, practicing, or attempting to practice under a name other than one's own;
11. Has violated or refused to comply with a lawful order of the Board;
12. Has been guilty of habitual drunkenness, or habitual addiction to the use of morphine, cocaine or other habit-forming drugs;
13. Has been guilty of personal offensive behavior, which would include, but not be limited to obscenity, lewdness, molestation and other acts of moral turpitude; and
14. Has been adjudicated to be insane, or incompetent, or admitted to an institution for the treatment of psychiatric disorders.
B. The State Board of Osteopathic Examiners shall neither refuse to renew, nor suspend, nor revoke any license, however, for any of these causes, unless the person accused has been given at least twenty (20) days' notice in writing of the charge against him or her and a public hearing by the State Board provided, three-fourths (3/4) of a quorum present at a meeting may vote to suspend a license in an emergency situation if the licensee affected is provided a public hearing within thirty (30) days of the emergency suspension.
C. The State Board of Osteopathic Examiners shall have the power to order or subpoena the attendance of witnesses, the inspection of records and premises and the production of relevant books and papers for the investigation of matters that may come before them. The presiding officer of said Board shall have the authority to compel the giving of testimony as is conferred on courts of justice.

D. Any osteopathic physician in the State of Oklahoma whose license to practice osteopathic medicine is revoked or suspended under the previous paragraphs of this section shall have the right to seek judicial review of a ruling of the Board pursuant to the Administrative Procedures Act.
E. The Board may enact rules and regulations pursuant to the Administrative Procedures Act setting out additional acts of unprofessional conduct; which acts shall be grounds for refusal to issue or reinstate, or for action to condition, suspend or revoke a license.

Section 637.1 - Additions or Alternatives to Revoking, Conditioning, Suspending, Reinstating or Refusing to Renew Licenses

A. In addition or as an alternative, as the case may be, to revoking, conditioning, suspending, reinstating or refusing to renew any license, the State Board of Osteopathic Examiners may, after affording opportunity to be heard:
1. Temporarily order suspension or limitation of license;
2. Issue an order of warning, reprimand or censure with regard to any act, conduct or practice which, in the judgment of the Board upon consideration of all relevant facts and circumstances, does not warrant the initiation of formal action;
3. Order that any person violating any provision of an act or regulation administered by the Board to cease and desist from future violations thereof or to take such affirmative corrective action as may be necessary with regard to any act or practice found unlawful by the Board;
4. Order any person as a condition for continued reinstated or renewed licensure or as a condition for probation or suspension to secure medical or such other professional treatment as may be necessary to properly discharge licensee functions; or
5. Order any person as a condition of any suspension or probation or any disciplinary action, to attend and produce evidence of successful completion of a specific term of education, residency or training in enumerated fields and/or institutions as ordered by the Board based on the facts of the case. Said education, residency or training shall be at the expense of the person so ordered.
B. If after considering all the testimony presented, the State Board of Osteopathic Examiners finds that the respondent has violated any provision of the Oklahoma Osteopathic Medicine Act or any rule promulgated thereto, the Board may impose on the respondent as a condition of any suspension, revocation, or probation, or any other disciplinary action, the payments of costs expended by the Board in investigating and prosecuting said cause, such costs to include but not be limited to staff time, salary and travel expense, witness fees and attorney fees. In addition, the Board may impose an administrative fine in an amount not to exceed One Thousand Dollars ($1,000.00) for each count or separate violation.
C. The Secretary of the Board may issue a letter of concern to a licensee, without a hearing, when evidence does not warrant formal proceedings, but indications exist of possible errant conduct that could lead to serious consequences and formal action. The letter of concern may contain, at the Secretary's discretion, clarifying information from the licensee. Such letters of concern are considered remedial.

Section 638 - Penalties for Violations

A. Each of the following acts shall constitute a felony, punishable, upon conviction, by a fine of not less than One Thousand Dollars ($1,000.00) nor more than Ten Thousand Dollars

($10,000.00) or by imprisonment in the county jail for a term of not more than one (1) year or imprisonment in the custody of the Department of Corrections for a term of not more than four (4) years, or by both such fine and imprisonment:
1. The practice of osteopathic medicine or attempt to practice osteopathic medicine without a license issued by the State Board of Osteopathic Examiners;
2. Obtaining, or attempting to obtain, a license under the Oklahoma Osteopathic Medicine Act by fraud or false statements;
3. Obtaining, or attempting to obtain, money or any other thing of value, by fraudulent representation or false pretense;
4. Advertising as an osteopathic physician and surgeon, or practicing or attempting to practice osteopathic medicine under a false, assumed, or fictitious name, or a name other than the real name; or
5. Allowing any person in the licensee's employment control to practice as an osteopathic physician and surgeon when not actually licensed to do so.
B. Each day a person is in violation of any provision of subsection A of this section shall constitute a separate criminal offense and, in addition, the district attorney may file a separate charge of medical battery for each person who is injured as a result of treatment or surgery performed in violation of subsection A of this section.
C. Any person making any willfully false oath or affirmation whenever oath or affirmation is required by the Oklahoma Osteopathic Medicine Act shall be deemed guilty of the felony of perjury, and upon conviction, shall be punished as prescribed by the general laws of this state.

Section 639 - Repealed by Laws 1983, SB 142, c. 152, § 24, emerg. eff. May 26, 1983

Repealed by Laws 1983, SB 142, c. 152, § 24, emerg. eff. May 26, 1983

Section 640 - Renumbered as 59 O.S. § 620 by Laws 1983, SB 142, c. 152, § 25, emerg. eff. May 26, 1983

Renumbered as 59 O.S. § 620 by Laws 1983, SB 142, c. 152, § 25, emerg. eff. May 26, 1983

Section 641 - Osteopaths - Annual Renewal of Certificate- Fee - Attendance at Educational Program - Notice to Licensee

A. All persons legally licensed to practice osteopathic medicine in this state, on or before the first day of July of each year, shall apply to the secretary-treasurer of the Board, on forms furnished thereby, for a renewal certificate of registration entitling such licensee to practice osteopathic medicine and surgery in Oklahoma during the next ensuing fiscal year.
B. Each application shall be accompanied by a renewal fee in an amount sufficient to cover the cost and expense incurred by the State Board of Osteopathic Examiners, for a renewal of the person's certificate to practice osteopathic medicine.
C. In addition to the payment of the annual renewal fee each licensee applying for a renewal of the certificate shall furnish to the State Board of Osteopathic Examiners proof that the person has attended at least two (2) days of the annual educational program conducted by the Oklahoma Osteopathic Association, or its equivalent, as determined by the Board, in the fiscal year preceding the application for a renewal; provided, the Board may excuse the failure of the

licensee to attend the educational program in the case of illness or other unavoidable casualty rendering it impossible for the licensee to have attended the educational program or its equivalent.
D. The secretary of the State Board of Osteopathic Examiners shall send a written notice to every person holding a legal certificate to practice osteopathic medicine in this state, at least thirty (30) days prior to the first day of July each year, directed to the last-known address of the licensee, notifying the licensee that it will be necessary for the licensee to pay the renewal license fee as herein provided, and proper forms shall accompany the notice upon which the licensee shall make application for renewal of the certificate.

Section 642 - Failure to Comply - Lapse of License - Cancellation of License - Reinstatement - Inactive Status Prohibited- Voluntary Cancellation of License

A. If any licensee shall fail to comply with the requirements of Section 641 of this title or this section and such license is allowed to lapse, the licensee shall, upon order of the State Board of Osteopathic Examiners, forfeit the right to practice osteopathic medicine in this state and the license and certificate shall be canceled, provided, however, that the Board may reinstate such person upon the payment of all fees due, plus a penalty fee in the amount fixed by the State Board of Osteopathic Examiners not to exceed twice the amount of the license renewal fees as determined by the Board and upon the presentation of satisfactory evidence of the attendance at an educational program as provided for in Sections 637 and 641 of this title. The State Board of Osteopathic Examiners shall not place the license of any person authorized to practice osteopathic medicine in this state on inactive status.
B. Licensees who retire from such practice or desire to request cancellation of their license shall file with the State Board of Osteopathic Examiners an affidavit, on a form to be furnished by the Board, which states the date of retirement and such other facts to verify the retirement or other reasons for cancellation as the Board may deem necessary and the license shall be canceled. If a licensee desires to re-engage the practice, the licensee shall reinstate the license as provided for in Sections 637 and 641 of this title and subsection A of this section.

Section 643 - Use of Fund

The funds received pursuant to the Oklahoma Osteopathic Medicine Act shall be deposited to the credit of the State Board of Osteopathic Examiners Revolving Fund and may be expended by the State Board of Osteopathic Examiners and under its direction in assisting in the enforcement of the laws of this state prohibiting the unlawful practice of osteopathic medicine, assisting in the support of a peer assistance program, and for the dissemination of information to prevent the violation of such laws, and for the purchasing of supplies and such other expense as is necessary to properly carry out the provisions of the Oklahoma Osteopathic Medicine Act.

Section 644 - State Board of Osteopathic Examiner's Revolving Fund – Creation

There is hereby created in the State Treasury a revolving fund for the State Board of Osteopathic Examiners, to be designated the "State Board of Osteopathic Examiner's Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Board pursuant to the provisions of the Oklahoma Osteopathic Medicine

Act. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Board for the purpose of enforcing the laws of this state which prohibit the unlawful practice of osteopathic medicine, for the dissemination of information to prevent the violation of such laws, and for the purchase of supplies and such other expense as is necessary to properly implement the provisions of the Oklahoma Osteopathic Medicine Act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims signed by an authorized employee or employees of the State Board of Osteopathic Examiners and filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

Section 645 - Adoption - Establishment of Fees

The State Board of Osteopathic Examiners shall adopt such rules as may be necessary to implement the provisions of the Oklahoma Osteopathic Medicine Act and may establish fees authorized but not specified in the Oklahoma Osteopathic Medicine Act.

Chapter 14A - Oklahoma Interventional Pain Management and Treatment Act

Section 650 - Short Title - Definitions - Interventional Pain Management License

A. This act shall be known and may be cited as the "Oklahoma Interventional Pain Management and Treatment Act".

B. As used in this section:

1. "Chronic pain" means a pain state which is subacute, persistent and intractable;

2. "Fluoroscope" means a radiologic instrument equipped with a fluorescent screen on which opaque internal structures can be viewed as moving shadow images formed by the differential transmission of X-rays throughout the body; and

3. "Interventional pain management" means the practice of medicine devoted to the diagnois and treatment of chronic pain, through the use of such techniques as:

a. ablation of targeted nerves,

b. percutaneous precision needle placement within the spinal column with placement of drugs such as local anesthetics, steroids, analgesics in targeted areas of the spinal column, or

c. surgical techniques, such as laser or endoscopic diskectomy, intrathecal infusion pumps and spinal cord stimulators.

C. It shall be unlawful to practice or offer to practice interventional pain management in this state unless such person has been duly licensed under the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act or the Oklahoma Osteopathic Medicine Act.

D. Nothing in this section shall be construed to forbid the administration of lumbar intra-laminar epidural steroid injections or peripheral nerve blocks by a certified registered nurse anesthetist when requested to do so by a physician and under the supervision of an allopathic or osteopathic physician licensed in this state and under conditions in which timely on-site consultation by such allopathic or osteopathic physician is available.

E. A certified registered nurse anesthetist shall not operate a freestanding pain management facility without direct supervision of a physician who is board-certified in interventional pain management or its equivalent.