

BILL NO. H. B. 1228

SPONSORED BY: Mr. Tucker and Mr. Hutchinson

DATE: 1/18/82

TITLE: OK

CODE: §16-28-1 through  
16-28-9 (new)

This bill provides state veterans who have been exposed to agent orange and other defoliants assistance.

SECTION BY SECTION ANALYSIS

Section 1. Defines the terms used in this article.

A veteran is defined as a person who was a resident of the state when inducted or was a resident of the state on March 31, 1981 and who served in the Vietnam conflict.

Section 2. A physician or hospital who is treating the veteran must, at the request of the veteran, file a report with the Department of Health identifying the veteran's symptoms, diagnosis, and other information required.

Section 3. The Department is required to consult with a medical toxicologist to compile and evaluate the information submitted in this article. The Department is required to obtain the consent of each veteran who is studied under this section.

Section 4. The veteran's identity will remain confidential, although the departmental statistics are public information.

Section 5. Physicians or hospitals complying with this section may not be held civilly or criminally liable for releasing this information.

Section 6. The Attorney General may represent a class of state veterans in a suit for release of information relating to exposure from agent orange.

Section 7. The state medical school and department are required to institute a cooperative program to refer veterans to appropriate agencies, provide veterans with counselling, and provide genetic screening to determine the extent of the veteran's physical damage.

Section 8. The reporting requirements apply to veterans treated on or after January 1, 1982, while the "class suit" and state assistance programs are applicable to all veterans.

Section 9. The Director of the Department of Health may discontinue any program under this article if he feels that an agency of the federal government is performing the screening functions of section 7.

Effective Date: Regular

Suggested Amendment: Section 7 requires the Health Department and medical schools to institute a cooperative program regardless of funding. The suggested amendment would only require the cooperative program if the superintendents of such schools have the necessary funding. The suggested amendment would add a subsection to section 7 to read as follows:

(c) This section shall only apply if, in the opinions of the director of Health and the deans of the respective schools, funds are available.