



OKLAHOMA STATE COURTS NETWORK

Title 63. Public Health and Safety

Oklahoma Statutes Citationized

Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

General Provisions

Article Article 1 - Administration

Section 1-106 - State Commissioner of Health - Qualifications - Powers and Duties

Cite as: 63 O.S. § 1-106 (OSCN 2026), General Provisions

A. The State Commissioner of Health shall serve at the pleasure of the Governor, and shall have skill and experience in public health duties and sanitary sciences and shall meet at least one of the following qualifications:

1. Possession of a Doctor of Medicine Degree and a license to practice medicine in this state;
2. Possession of an Osteopathic Medicine Degree and a license to practice medicine in this state;
3. Possession of a Doctoral degree in Public Health or Public Health Administration; or
4. Possession of a Master of Science Degree and a minimum of five (5) years of supervisory experience in the administration of health services.

B. The Commissioner shall be exempt from all qualifications enumerated in subsection A of this section if the Commissioner possesses at least a master's degree and has experience in management of state agencies or large projects.

C. The Commissioner shall have the following powers and duties, unless otherwise directed by the Governor:

1. Have general supervision of the health of the citizens of the state; make investigations, inquiries and studies concerning the causes of disease and injury, and especially of epidemics, and the causes of mortality, and the effects of localities, employment, conditions and circumstances on the public health; investigate conditions as to health, sanitation and safety of schools, prisons, public institutions, mines, public conveyances, camps, places of group abode, and all buildings and places of public resort, and recommend, prescribe and enforce such measures of health, sanitation and safety for them as the Commissioner deems advisable; take such measures as deemed necessary by the Commissioner to control or suppress, or to prevent the occurrence or spread of, any communicable, contagious or infectious disease, and provide for the segregation and isolation of persons having or suspected of having any such disease; designate places of quarantine or isolation; advise state and local governments on matters pertaining to health, sanitation and safety; and abate any nuisance affecting injuriously the health of the public or any community. Any health information or data acquired by the Commissioner from any public agency, which information or data is otherwise confidential by state or federal law, shall remain confidential notwithstanding the acquisition of this information by the Commissioner;
2. Be the executive officer and supervise the activities of the State Department of Health, and act for the Department in all matters except as may be otherwise provided in this Code; administer oaths at any hearing or investigation conducted pursuant to this Code; and enforce rules and standards adopted by the Commissioner. All rules adopted by the Commissioner are subject to the terms and conditions of the Administrative Procedures Act;

3. Appoint an Assistant State Commissioner of Health and fix the qualifications, duties and compensation of the Assistant State Commissioner of Health; and employ, appoint and contract with, and fix the qualifications, duties and compensation of, such other assistants, doctors, engineers, attorneys, sanitarians, nurses, laboratory personnel, administrative, clerical and technical help, investigators, aides and other personnel and help, either on a full-time, part-time, fee or contractual basis, as shall be deemed by the Commissioner necessary, expedient, convenient or appropriate to the performance or carrying out of any of the purposes, objectives or provisions of this Code, or to assist the Commissioner in the performance of official duties and functions;
4. Cause investigations, inquiries and inspections to be made, and hold hearings and issue orders pursuant to the provisions of the Administrative Procedures Act, to enforce and make effective the provisions of this Code, and all rules and standards adopted by the Commissioner pursuant to law and the Commissioner or the representative of the Commissioner shall have the right of access to any premises for such purpose at any reasonable time, upon presentation of identification;
5. Authorize persons in the State Department of Health to conduct investigations, inquiries and hearings, and to perform other acts that the Commissioner is authorized or required to conduct or perform personally;
6. Except as otherwise provided by law, all civil and criminal proceedings under this Code shall be initiated and prosecuted by the district attorney where the violation takes place;
7. Issue subpoenas for the attendance of witnesses and the production of books and records at any hearing to be conducted by the Commissioner and issue subpoenas for the testimony of individuals or for the production of records in connection with an investigation conducted by the Office of Client Advocacy within the State Department of Health; and if a person disobeys any such subpoena, or refuses to give evidence before, or to allow books and records to be examined by, the Commissioner after such person is directed to do so, the Commissioner may file a contempt proceeding in the district court of the county in which the premises involved are situated, or, if no premises are involved, of the county in which such person resides or has a principal place of business, and a judge of such court, after a trial de novo, may punish the offending person for contempt;
8. Unless otherwise required by the terms of a federal grant, sell, exchange or otherwise dispose of personal property that has been acquired by the State Department of Health, or any of its components, when such property becomes obsolete or is no longer needed; any money derived therefrom shall be deposited in the Public Health Special Fund;
9. Sell films, educational materials, biological products and other items produced by the State Department of Health; and all proceeds therefrom shall be deposited in the Public Health Special Fund;
10. Revoke or cancel, or suspend for any period up to one (1) year, any license or permit issued under or pursuant to this Code, or by the Commissioner, when the Commissioner determines that ground therefor as prescribed by this Code exists, or that the holder of such license or permit has violated any law, or any of the provisions of this Code, or any rules or standards of the Commissioner filed with the Secretary of State, but the Commissioner shall first afford the holder an opportunity to show cause why the license or permit should not be revoked, canceled or suspended, notice of such opportunity to be given by certified United States Mail to the holder of the license or permit at the last-known address of such holder;
11. Accept, use, disburse and administer grants, allotments, gifts, devises, bequests, appropriations and other monies and property offered or given to the State Department of Health, or any component or agency thereof, by any agency of the federal government, or any corporation or individual;
12. Be the official agency of the State of Oklahoma in all matters relating to public health which require or authorize cooperation of the State of Oklahoma with the federal government or any agency thereof; coordinate the activities of the State Department of Health with those of the federal government or any department or agency thereof, and with other states, on matters pertaining to public health, and enter into agreements for such purpose, and may accept, use, disburse and administer, for the office of the Commissioner or for the State Department of Health, for any purpose designated and on the terms and conditions thereof, grants of money, personnel and property from the

federal government or any department or agency thereof, or from any state or state agency, or from any other source, to promote and carry on in this state any program relating to the public health or the control of disease, and enter into agreements for such purposes;

13. Appoint commissioned peace officers, certified by the Council on Law Enforcement Education and Training, to investigate violations of the Public Health Code and to provide security to Department facilities;

14. Pursuant to Section 1-106 of this title, appoint a Chief Medical Officer who reports directly to the Commissioner; and

15. The State Commissioner of Health shall, in consultation with local and national organizations that provide education or services related to epilepsy conditions, provide guidance to medical doctors, osteopathic physicians, nurse practitioners, and physician assistants who have the primary responsibility for treatment of a person with epilepsy to assist in determining whether a patient is at elevated risk for sudden unexpected death in epilepsy (SUDEP), including, but not limited to, whether the patient has had convulsive seizures, the frequency and recency of such seizures, and whether the patient's symptoms have subsided in response to medicinal or surgical treatment. The Chief Medical Examiner shall provide to all employees of the Chief Medical Examiner's Office information about sudden unexpected death in epilepsy (SUDEP).

Historical Data

Laws 1963, SB 26, c. 325, § 106, emerg. eff. July 1, 1963; Amended by Laws 1980, SB 634, c. 159, § 17, emerg. eff. April 2, 1980; Amended by Laws 1986, HB 1779. c. 148, § 1, emerg. eff. April 29, 1986; Amended by Laws 1987, HB 1478, c. 118, § 52, emerg. eff. July 1, 1987; Amended by Laws 1987, HB 1460, c. 225, § 42, emerg. eff. July 1, 1987; Amended by Laws 1991, HB 1518, c. 293, § 4, emerg. eff. May 30, 1991; Amended by Laws 1995, HB 1293, c. 230, § 20, eff. July 1, 1995; Amended by Laws 1997, HB 1499, c. 238, § 3, eff. November 1, 1997 (superseded document available); Amended by Laws 2004, SB 1406, c. 456, § 1, eff. November 1, 2004 (superseded document available); Amended by Laws 2022, SB 709, c. 85, § 1, emerg. eff. April 26, 2022 (superseded document available); Amended by Laws 2025, SB 949, c. 215, § 13, emerg. eff. May 14, 2025 (superseded document available); Amended by Laws 2025, HB 2013, c. 377, § 3, eff. November 1, 2025 (superseded document available); Amendment by Laws 2025, c. 377, § 3, amended by Laws 2026, SB 2184, c. 217, § 110, emerg. eff. May 6, 2026 (superseded document available); Amendment by Laws 2025, c. 215, § 13, repealed by Laws 2026, SB 2184, c. 217, § 111, emerg. eff. May 6, 2026.

Citationizer® Summary of Documents Citing This Document

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