

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 845

By: Jolley and Treat of the
Senate

6 and

7 Sears and Casey of the
8 House

9 COMMITTEE SUBSTITUTE

10 An Act relating to the Oklahoma Health Care
11 Authority; providing for duties and compensation of
12 employees; authorizing payment of certain expenses;
13 providing process for exemptions; authorizing certain
14 transfers; providing procedures; providing lapse
15 dates; requiring and prohibiting certain budget
16 procedures; providing an effective date; and
17 declaring an emergency.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. A. The duties and compensation of employees, not
20 otherwise prescribed by law, necessary to perform the duties imposed
21 upon the Oklahoma Health Care Authority by law shall be set by the
22 Administrator of the Oklahoma Health Care Authority.

23 B. The Oklahoma Health Care Authority is authorized to:

24 1. Pay professional expenses of the Administrator of the
Authority, including dues, licenses, professional memberships, and
continuing education classes conducted in the State of Oklahoma; and

1 2. Pay professional expenses of any Oklahoma licensed
2 physician, including dues, licenses, professional memberships,
3 continuing medical education classes conducted in the State of
4 Oklahoma, and medical malpractice insurance, provided the physician
5 is a full-time employee of the Authority in accordance with
6 subsection B of Section 5006 of Title 63 of the Oklahoma Statutes or
7 paragraph 1 of subsection B of Section 840-5.5 of Title 74 of the
8 Oklahoma Statutes and utilizing those professional skills in the
9 performance of their job duties.

10 SECTION 2. In order to facilitate cash management of federal
11 grant receipts and disbursements, the Office of Management and
12 Enterprise Services shall transfer monies between the Oklahoma
13 Health Care Authority federal and revolving funds in amounts
14 requested by the Oklahoma Health Care Authority.

15 SECTION 3. The Oklahoma Health Care Authority is authorized to
16 transfer funds from Fund 205 to Fund 340 in quarterly installments
17 to satisfy claims made to the Authority under the Supplemental
18 Hospital Offset Payment Program Act.

19 SECTION 4. A. The Administrator of the Oklahoma Health Care
20 Authority may request in the manner provided in this section that
21 receipt and expenditure of unanticipated federal funds awarded after
22 July 1, 2015, be exempt from expenditure limitations and from
23 budgetary limitations.

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1 1. The Administrator shall make a request for exemption to the
2 Office of Management and Enterprise Services in writing and file a
3 revised budget program.

4 2. The Administrator shall also file copies of the request for
5 exemption and budget work program revisions with the Oklahoma House
6 of Representatives Appropriations and Budget Committee Chair and the
7 Oklahoma State Senate Appropriations Committee Chair. The Oklahoma
8 House of Representatives Appropriations and Budget Committee Chair
9 and/or the Oklahoma State Senate Appropriations Committee Chair
10 shall notify the Office of Management and Enterprise Services of any
11 noncompliance of the request with legislative intent within twelve
12 (12) calendar days of their receipt of the exemption request.

13 B. The Office of Management and Enterprise Services shall
14 approve the request for exemption unless both the Chair and Vice
15 Chair of the Joint Legislative Committee on Budget and Program
16 Oversight provide written notification to the Office of Management
17 and Enterprise Services within twelve (12) calendar days of the
18 Committee's receipt of the exemption request that the exemption
19 subverts the intention and objectives of the Legislature in
20 establishing the original limit. The Office of Management and
21 Enterprise Services shall give written notice of approval or
22 disapproval of each exemption to the agency, the Governor and the
23 Chair of the Oklahoma House of Representatives Appropriations and
24 Budget Committee and the Chair of the Oklahoma State Senate

1 Appropriations Committee within eighteen (18) calendar days of
2 receiving the request.

3 SECTION 5. The Office of Management and Enterprise Services
4 shall transfer monies appropriated from the General Revenue Fund and
5 the 245 Fund to the Oklahoma Health Care Authority disbursing funds
6 in the amounts and ratios requested by the Authority except that the
7 cumulative amount transferred shall not exceed the cumulative amount
8 of equal monthly allotments of the appropriation from the General
9 Revenue Fund. Monies appropriated or collected for the fiscal year
10 ending June 30, 2016, may be transferred to these disbursing funds
11 for the fiscal year ending June 30, 2015, to satisfy encumbrances
12 and obligations of said fiscal year; provided, that monies equal in
13 amount are transferred from appropriations or collections for the
14 fiscal year ending June 30, 2015, to the disbursing fund for the
15 fiscal year ending June 30, 2016, to satisfy encumbrances and
16 obligations of said fiscal year. All transfer requests shall be in
17 writing to the Office of Management and Enterprise Services. The
18 Oklahoma Health Care Authority shall maintain record of the inter-
19 year transfers.

20 SECTION 6. The Administrator of the Oklahoma Health Care
21 Authority may request through the Director of the Office of
22 Management and Enterprise Services the early transfer by the
23 Oklahoma Tax Commission of tax collections to the General Revenue
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1 Fund for the purpose of early allocation to the agency's disbursing
2 funds to alleviate cash-flow problems.

3 SECTION 7. Appropriations made to the Oklahoma Health Care
4 Authority by Enrolled House Bill No. 2242 of the 1st Session of the
5 55th Oklahoma Legislature, not including appropriations made for
6 capital outlay purposes, may be budgeted for the fiscal year ending
7 June 30, 2016 (hereafter FY-16), or may be budgeted for the fiscal
8 year ending June 30, 2017 (hereafter FY-17). Funds budgeted for FY-
9 16 may be encumbered only through June 30, 2016, and must be
10 expended by November 15, 2016. Any funds remaining after November
11 15, 2016, and not budgeted for FY-17, shall lapse to the credit of
12 the proper fund for the then current fiscal year. Funds budgeted
13 for FY-17 may be encumbered only through June 30, 2017. Any funds
14 remaining after November 15, 2017, shall lapse to the credit of the
15 proper fund for the then current fiscal year. These appropriations
16 may not be budgeted in both fiscal years simultaneously. Funds
17 budgeted in FY-16, and not required to pay obligations for that
18 fiscal year, may be budgeted for FY-17, after the agency to which
19 the funds have been appropriated has prepared and submitted a budget
20 work program revision removing these funds from the FY-16 budget
21 work program and after such revision has been approved by the Office
22 of Management and Enterprise Services.

23 SECTION 8. This act shall become effective July 1, 2015.

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1 SECTION 9. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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