

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1198

By: Sears and Casey of the
House

4 and

5 Jolley and Treat of the
6 Senate

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8
9 AS INTRODUCED

10 An Act relating to the Oklahoma Health Care
11 Authority; making an appropriation to the Oklahoma
12 Health Care Authority; stating purpose; providing for
13 duties and compensation of employees; authorizing
14 payment of certain expenses; requiring compliance
15 with and providing budgetary limitations; requiring
16 budgeting and expenditure for certain services;
17 providing exemptions to budgetary limitations;
18 providing process for exemptions; authorizing certain
19 transfers; providing procedures; providing lapse
20 dates; requiring and prohibiting certain budget
21 procedures; providing an effective date.

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

23 SECTION 1. There is hereby appropriated to the Oklahoma Health
24 Care Authority from any monies not otherwise appropriated from the
General Revenue Fund of the State Treasury for the fiscal year
ending June 30, 2016, the sum of _____ (\$0.00) or so
much thereof as may be necessary to perform the duties imposed upon
the Oklahoma Health Care Authority by law.

1 SECTION 2. A. The duties and compensation of employees, not
2 otherwise prescribed by law, necessary to perform the duties imposed
3 upon the Oklahoma Health Care Authority by law shall be set by the
4 Administrator of the Oklahoma Health Care Authority.

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

6 1. Pay professional expenses of the Administrator of the
7 Authority, including dues, licenses, professional memberships,
8 continuing medical education classes conducted in the State of
9 Oklahoma and medical malpractice insurance; and

10 2. Pay professional expenses of any Oklahoma licensed
11 physician, including dues, licenses, professional memberships,
12 continuing medical education classes conducted in the State of
13 Oklahoma and medical malpractice insurance, provided the physician
14 is a full-time employee of the Authority in accordance with
15 subsection B of Section 5006 of Title 63 of the Oklahoma Statutes or
16 paragraph 1 of subsection B of Section 840-5.5 of Title 74 of the
17 Oklahoma Statutes and utilizing those professional skills in the
18 performance of their job duties.

19 C. The Oklahoma Health Care Authority for the fiscal year
20 ending June 30, 2017, shall be subject to the following budgetary
21 limitations, except as may be authorized pursuant to the provisions
22 of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
24 Full-Time-Equivalent Employees	0.0

1 Lease-Purchase Agreements \$0.00

2 Full-time-equivalent employees solely paid by grant funds will
3 not count against the agency's budgetary limitations as specified in
4 this section.

5 SECTION 3. For the fiscal year ending June 30, 2017, the
6 Oklahoma Health Care Authority shall budget all funds in the
7 following categories and amounts:

8 <u>Category</u>	<u>Appropriation</u>	<u>Total</u>
9 Operations	\$0.00	\$0.00
10 Medicaid Payments	0.00	0.00
11 Medicaid Contracted		
12 Services	0.00	0.00
13 Premium Assistance		
14 Program	0.00	0.00
15 Rehabilitation Services	0.00	0.00
16 OSA Non-Title-XIX		
17 Medical	0.00	0.00
18 Grants management	0.00	0.00
19 Non-Title-XIX Medical	<u>0.00</u>	<u>0.00</u>
20 TOTAL	\$0.00	\$0.00

21 In order to facilitate cash management of federal grant receipts
22 and disbursements, the Office of Management and Enterprise Services
23 shall transfer monies between the Oklahoma Health Care Authority
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1 federal and revolving funds in amounts requested by the Oklahoma
2 Health Care Authority.

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

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

11 2. The Administrator shall also file copies of the request for
12 exemption and budget work program revisions with the Oklahoma House
13 of Representatives Appropriations and Budget Committee Chair and the
14 Oklahoma State Senate Appropriations Committee Chair. The Oklahoma
15 House of Representatives Appropriations and Budget Committee Chair
16 and/or the Oklahoma State Senate Appropriations Committee Chair
17 shall notify the Office of Management and Enterprise Services of any
18 noncompliance of the request with legislative intent within twelve
19 (12) calendar days of their receipt of the exemption request.

20 B. The Office of Management and Enterprise Services shall
21 approve the request for exemption unless both the Chair and Vice
22 Chair of the Joint Legislative Committee on Budget and Program
23 Oversight provide written notification to the Office of Management
24 and Enterprise Services within twelve (12) calendar days of the

1 Committee's receipt of the exemption request that the exemption
2 subverts the intention and objectives of the Legislature in
3 establishing the original limit. The Office of Management and
4 Enterprise Services shall give written notice of approval or
5 disapproval of each exemption to the agency, the Governor and the
6 Chair of the Oklahoma House of Representatives Appropriations and
7 Budget Committee and the Chair of the Oklahoma State Senate
8 Appropriations Committee within eighteen (18) calendar days of
9 receiving the request.

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

1 Oklahoma Health Care Authority shall maintain records of the inter-
2 year transfers.

3 SECTION 6. The Administrator of the Oklahoma Health Care
4 Authority may request through the Office of Management and
5 Enterprise Services the early transfer by the Oklahoma Tax
6 Commission of tax collections to the General Revenue Fund for the
7 purpose of early allocation to the agency's disbursing funds to
8 alleviate cash-flow problems.

9 SECTION 7. Appropriations made by this act, not including
10 appropriations made for capital outlay purposes, may be budgeted for
11 the fiscal year ending June 30, 2016 (hereafter FY-16) or may be
12 budgeted for the fiscal year ending June 30, 2017 (hereafter FY-17).
13 Funds budgeted for FY-16 may be encumbered only through June 30,
14 2016, and must be expended by November 15, 2016. Any funds
15 remaining after November 15, 2016, and not budgeted for FY-17, shall
16 lapse to the credit of the proper fund for the then current fiscal
17 year. Funds budgeted for FY-17 may be encumbered only through June
18 30, 2017. Any funds remaining after November 15, 2017, shall lapse
19 to the credit of the proper fund for the then current fiscal year.
20 These appropriations may not be budgeted in both fiscal years
21 simultaneously. Funds budgeted in FY-16, and not required to pay
22 obligations for that fiscal year, may be budgeted for FY-17, after
23 the agency to which the funds have been appropriated has prepared
24 and submitted a budget work program revision removing these funds

1 from the FY-16 budget work program and after such revision has been
2 approved by the Office of Management and Enterprise Services.

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

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