

1 ENGROSSED HOUSE
2 BILL NO. 2943

By: Wallace and Martinez of the
House

3 and

4 Thompson (Roger) and Hall
5 of the Senate

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8 An Act relating to the State Department of Health;
9 making appropriations; identifying source;
10 establishing amount; providing purpose; requiring and
11 limiting the utilization of funds; creating certain
12 special accounts; limiting duration of accounts;
13 requiring certain determination; providing and
14 limiting the nature of accounts and funds within
15 accounts; authorizing agency to submit request for
16 certain deposit or transfer; requiring certain
17 compliance and verification; authorizing certain
18 memorandums of understanding; limiting scope;
19 prohibiting certain memoranda terms; authorizing and
20 limiting the promulgation of rules and utilization of
21 procedures; authorizing and limiting the retention of
22 monies for administration costs; requiring certain
23 reports and submissions to certain entities;
24 requiring appearance before certain joint committee;
limiting duration of certain requirements; providing
determination process; providing for noncodification;
and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

There is hereby appropriated to the State Department of Health
from monies not otherwise appropriated from the Statewide Recovery

1 Fund of the State Treasury created in Enrolled House Bill No. 3349
2 of the 2nd Session of the 58th Oklahoma Legislature, the sum of Four
3 Million Dollars (\$4,000,000.00) or so much thereof as may be
4 necessary to a nonprofit to establish and build out a family
5 residence building located North of State Highway 3 and West of
6 State Highway 74, aimed at providing care and housing to families
7 with children undergoing long-term care and treatment at medical
8 facilities.

9 SECTION 2. NEW LAW A new section of law not to be
10 codified in the Oklahoma Statutes reads as follows:

11 There is hereby appropriated to the Oklahoma State Department of
12 Health from monies not otherwise appropriated from the Statewide
13 Recovery Fund of the State Treasury created in Enrolled House Bill
14 No. 3349 of the 2nd Session of the 58th Oklahoma Legislature, the
15 sum of Two Million Dollars (\$2,000,000.00) or so much thereof as may
16 be necessary to a nonprofit located within twenty-five (25) miles of
17 Lake Hefner to retrofit and expand a facility to provide expanded
18 services to children needing long-term care and treatment.

19 SECTION 3. NEW LAW A new section of law not to be
20 codified in the Oklahoma Statutes reads as follows:

21 A. There is hereby created in the State Treasury a Statewide
22 Recovery Special Account for the State Department of Health for each
23 appropriation section of this act. The duration of such accounts
24 shall continue for the period of time that monies related to the

1 American Rescue Plan Act of 2021 are being budgeted, expended, or
2 managed in the state. The ending of such period shall be determined
3 by the State Treasurer and shall result in the closing of such
4 accounts as a matter of law. Such accounts shall be continuing
5 accounts as otherwise provided in this section, not subject to
6 fiscal year limitations, and shall exclusively consist of monies
7 related to the relevant appropriations made in this act and as
8 otherwise directed by law. All monies deposited to the credit of
9 such accounts are hereby appropriated and may be budgeted and
10 expended by the State Department of Health in accordance with the
11 provisions of this act. Expenditures from such accounts shall be
12 made upon warrants issued by the State Treasurer against claims
13 filed as prescribed by law with the Director of the Office of
14 Management and Enterprise Services for approval and payment.

15 B. The State Department of Health is authorized to request in
16 writing that the monies appropriated by the provisions of this act
17 be deposited or transferred to the accounts created pursuant to
18 subsection A of this section. No later than seven (7) calendar days
19 from the date of such request, the Director of the Office of
20 Management and Enterprise Services shall comply with such request
21 and verify to the requesting agency that such deposit or transfer
22 has been completed.

23 SECTION 4. NEW LAW A new section of law not to be
24 codified in the Oklahoma Statutes reads as follows:

1 The State Department of Health may enter into memorandums of
2 understanding with other agencies of the State of Oklahoma for the
3 auditing, documentation, evaluation, implementation, oversight,
4 reporting, and management of funds and associated efforts related to
5 the appropriations made in this act; provided, that no such
6 memorandum of understanding shall require or include, as an option
7 or condition, the direct or practical transfer or relinquishment of
8 control by the agency appropriated such funds to budget, expend,
9 allocate, and request the distribution of the funds appropriated by
10 this act.

11 SECTION 5. NEW LAW A new section of law not to be
12 codified in the Oklahoma Statutes reads as follows:

13 The State Department of Health may promulgate rules, utilize
14 existing rules, establish procedures, and utilize existing
15 procedures to implement the provisions of this act; provided, such
16 rules and procedures do not conflict with or impede the provisions
17 of this act.

18 SECTION 6. NEW LAW A new section of law not to be
19 codified in the Oklahoma Statutes reads as follows:

20 The State Department of Health shall retain no more than two
21 percent (2%) of the funds appropriated by this act to reimburse:

- 22 1. Costs incurred by the State Department of Health; or
- 23 2. Costs incurred on the agency's behalf, associated with the
24 administration of the appropriated funds and programming required by

1 the State Department of Health under the provisions of this act;
2 provided, that no funds shall be retained that would be disallowable
3 under the provisions of the American Rescue Plan Act of 2021.

4 SECTION 7. NEW LAW A new section of law not to be
5 codified in the Oklahoma Statutes reads as follows:

6 A. The State Department of Health shall:

7 1. Submit to the Chairs of the Joint Committee on Pandemic
8 Relief Funding, or any successor Senate legislative or House of
9 Representatives legislative committee or joint committee, as
10 designated by the President Pro Tempore of the Oklahoma State Senate
11 and the Speaker of the Oklahoma House of Representatives:

12 a. a written or electronic quarterly report detailing the
13 budgeting, expenditure, and management of all monies
14 appropriated in this act, and

15 b. a copy of all memorandums of understanding and
16 contracts with third parties entered into by the State
17 Department of Health to facilitate, assist, or
18 administer powers and duties provided to the State
19 Department of Health under the provisions of this act;
20 and

21 2. At the Joint Committee on Pandemic Relief Funding's request,
22 appear before the Joint Committee no later than six (6) months after
23 the effective date of this act, and as otherwise requested by the
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1 Joint Committee to provide a status update regarding the
2 implementation of the provisions of this act.

3 B. The provisions of subsection A of this section shall remain
4 applicable for the period of time that monies appropriated under
5 this act are being budgeted, expended, or managed in the state. The
6 ending of such period shall be determined by the State Treasurer,
7 and shall be reported to the Governor, President Pro Tempore of the
8 Senate, and the Speaker of the House of Representatives.

9 SECTION 8. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13 Passed the House of Representatives the 17th day of May, 2023.

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Presiding Officer of the House
of Representatives

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18 Passed the Senate the ___ day of _____, 2023.

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Presiding Officer of the Senate

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