

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1039

By: David of the Senate

and

Wallace of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to the Oklahoma State University
11 Medical Authority Act; amending 63 O.S. 2011, Section
12 3275, which relates to the Oklahoma State University
13 Medical Authority; eliminating terms of office;
14 providing that members serve at the pleasure of the
15 appointing authority; modifying removal requirements;
16 providing for attendance by telephone; establishing
17 conditions for quorum; and providing an effective
18 date.

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 3275, is
amended to read as follows:

Section 3275. A. There is hereby created the Oklahoma State
University Medical Authority, an agency of the State of Oklahoma, a
body corporate and politic, with powers of government and with the
authority to exercise the rights, privileges and functions as
specified in the Oklahoma State University Medical Authority Act.

1 The Oklahoma State University Medical Authority is covered by the
2 Governmental Tort Claims Act.

3 B. The Authority shall consist of seven (7) members as follows:

4 1. One member shall be appointed by the Governor, with the
5 advice and consent of the Senate;

6 2. One member shall be appointed by the President Pro Tempore
7 of the Senate;

8 3. One member shall be appointed by the Speaker of the House of
9 Representatives;

10 4. One member shall be the Chief Executive Officer of the
11 Oklahoma Health Care Authority, or a designee;

12 5. One member shall be the President of the Oklahoma State
13 University Center for Health Sciences;

14 6. One member to be appointed by the President of Oklahoma
15 State University who shall be the Chief Executive Officer of any
16 entity, other than the Oklahoma State University Medical Trust, with
17 whom the Oklahoma State University College of Osteopathic Medicine
18 has entered into an Academic Affiliation Agreement to serve as the
19 primary site of practice and teaching hospital for medical residency
20 programs, or a designee; and

21 7. One member shall be the Chief Executive Officer of the
22 Oklahoma State University Medical Authority who shall be an ex
23 officio, nonvoting member.

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1 C. ~~All appointed members shall be appointed by June 1, 2006.~~
2 ~~Of the members of the Authority initially appointed, the member~~
3 ~~appointed by the President Pro Tempore of the Senate shall serve a~~
4 ~~term of three (3) years; the member appointed by the Speaker of the~~
5 ~~House of Representatives shall serve a term of two (2) years; and~~
6 ~~the member appointed by the Governor shall serve a term of one (1)~~
7 ~~year. Successors shall be appointed for terms of three (3) years.~~

8 ~~D.~~ Each member of the Authority, prior to appointment, shall be
9 a resident of the state and a qualified elector.

10 ~~E.~~ D. Members shall ~~be removable only for cause by the~~ serve at
11 the pleasure of his or her appointing authority and may be removed
12 or replaced without cause. Any vacancy occurring on the Authority
13 shall be filled by the original appointing authority.

14 ~~F.~~ E. The members of the Authority shall serve without
15 compensation but may be reimbursed for all actual and necessary
16 travel expenses incurred in performance of their duties in
17 accordance with the provisions of the State Travel Reimbursement
18 Act.

19 ~~G.~~ F. All members of the Authority and administrative personnel
20 of the Authority shall be subject to the provisions of the Oklahoma
21 Ethics Commission Rules, Chapter 62 Appendix of Title 74 of the
22 Oklahoma Statutes.

23 ~~H.~~ G. A quorum of the Authority shall be four ~~(4)~~ voting
24 members. The Authority shall elect a chair and vice chair from

1 among its members. The chair must be an appointed member of the
2 Authority.

3 ~~F.~~ H. The Authority shall be exempt from the Oklahoma Central
4 Purchasing Act but shall be subject to the purchasing policies of
5 Oklahoma State University Center for Health Sciences and shall be
6 subject to the Oklahoma Open Meeting Act and the Oklahoma Open
7 Records Act, except as otherwise provided by this act. Any
8 information submitted to or compiled by the Authority except for
9 budgetary information related to appropriations or the
10 appropriations process with respect to the marketing plans,
11 financial statements, trade secrets, research concepts, methods or
12 products, or any other proprietary information of the Authority,
13 persons, firms, associations, partnerships, agencies, corporations,
14 institutions of higher education, nonprofit research institutions or
15 other entities shall be confidential, except to the extent that the
16 person or entity which provided the information or which is the
17 subject of the information consents to disclosure. Executive
18 sessions may be held to discuss such materials if deemed necessary
19 by the Authority.

20 I. Notwithstanding any other section of law, any member of the
21 Authority attending a meeting by telephone shall be counted as being
22 present in person and shall count toward the determination of
23 whether a quorum of the Authority is present at the meeting;
24 provided that:

1 1. No less than a majority of the members constituting the
2 quorum shall be present in person at the meeting site as posted on
3 the meeting notice and agenda;

4 2. All members present at the public meeting site may speak to
5 and hear all communications of those attending by telephone;

6 3. No one member of the Authority shall exercise their right to
7 use of telephone for purposes of meeting a quorum more than one time
8 per fiscal year; and

9 4. The Authority shall not conduct an executive session if a
10 member is attending by telephone for purposes of meeting quorum.

11 SECTION 2. This act shall become effective November 1, 2019.

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