

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1039 By: David of the Senate
3 and
4 Wallace of the House
5
6

7 An Act relating to the Oklahoma State University
8 Medical Authority Act; amending 63 O.S. 2011, Section
9 3275, which relates to members; deleting obsolete
10 language; and providing an effective date.

11 AMENDMENT NO. 1. Delete the title, enacting clause and entire bill
12 and replace with:

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

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

23 SECTION 1. AMENDATORY 63 O.S. 2011, Section 3275, is
24 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

1 body corporate and politic, with powers of government and with the
2 authority to exercise the rights, privileges and functions as
3 specified in the Oklahoma State University Medical Authority Act.
4 The Oklahoma State University Medical Authority is covered by the
5 Governmental Tort Claims Act.

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

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

9 2. One member shall be appointed by the President Pro Tempore
10 of the Senate;

11 3. One member shall be appointed by the Speaker of the House of
12 Representatives;

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

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

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

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1 7. One member shall be the Chief Executive Officer of the
2 Oklahoma State University Medical Authority who shall be an ex
3 officio, nonvoting member.

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

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

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

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

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

3 ~~H.~~ G. A quorum of the Authority shall be four ~~(4)~~ voting
4 members. The Authority shall elect a chair and vice chair from
5 among its members. The chair must be an appointed member of the
6 Authority.

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

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1 I. Notwithstanding any other section of law, any member of the
2 Authority attending a meeting by telephone shall be counted as being
3 present in person and shall count toward the determination of
4 whether a quorum of the Authority is present at the meeting;
5 provided that:

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

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

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

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

16 SECTION 2. This act shall become effective November 1, 2019."
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2 BILL NO. 1039

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3 and

4 Wallace of the House

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7 Medical Authority Act; amending 63 O.S. 2011, Section
8 3275, which relates to members; deleting obsolete
9 language; and providing an effective date.

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

11 SECTION 3. AMENDATORY 63 O.S. 2011, Section 3275, is
12 amended to read as follows:

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14 University Medical Authority, an agency of the State of Oklahoma, a
15 body corporate and politic, with powers of government and with the
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18 The Oklahoma State University Medical Authority is covered by the
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23 2. One member shall be appointed by the President Pro Tempore
24 of the Senate;

1 3. One member shall be appointed by the Speaker of the House of
2 Representatives;

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

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6 University Center for Health Sciences;

7 6. One member to be appointed by the President of Oklahoma
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9 entity, other than the Oklahoma State University Medical Trust, with
10 whom the Oklahoma State University College of Osteopathic Medicine
11 has entered into an Academic Affiliation Agreement to serve as the
12 primary site of practice and teaching hospital for medical residency
13 programs, or a designee; and

14 7. One member shall be the Chief Executive Officer of the
15 Oklahoma State University Medical Authority who shall be an ex
16 officio, nonvoting member.

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21 ~~House of Representatives shall serve a term of two (2) years; and~~
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23 ~~year. Successors shall be appointed for terms of three (3) years.~~

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1 D. Each member of the Authority, prior to appointment, shall be
2 a resident of the state and a qualified elector.

3 E. Members shall be removable only for cause by the appointing
4 authority. Any vacancy occurring on the Authority shall be filled
5 by the original appointing authority.

6 F. The members of the Authority shall serve without
7 compensation but may be reimbursed for all actual and necessary
8 travel expenses incurred in performance of their duties in
9 accordance with the provisions of the State Travel Reimbursement
10 Act.

11 G. All members of the Authority and administrative personnel of
12 the Authority shall be subject to the provisions of the Oklahoma
13 Ethics Commission Rules, Chapter 62 Appendix of Title 74 of the
14 Oklahoma Statutes.

15 H. A quorum of the Authority shall be four (4) voting members.
16 The Authority shall elect a chair and vice chair from among its
17 members. The chair must be an appointed member of the Authority.

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22 Records Act, except as otherwise provided by this act. Any
23 information submitted to or compiled by the Authority except for
24 budgetary information related to appropriations or the

1 appropriations process with respect to the marketing plans,
2 financial statements, trade secrets, research concepts, methods or
3 products, or any other proprietary information of the Authority,
4 persons, firms, associations, partnerships, agencies, corporations,
5 institutions of higher education, nonprofit research institutions or
6 other entities shall be confidential, except to the extent that the
7 person or entity which provided the information or which is the
8 subject of the information consents to disclosure. Executive
9 sessions may be held to discuss such materials if deemed necessary
10 by the Authority.

11 SECTION 4. This act shall become effective November 1, 2019.

12 Passed the Senate the 11th day of March, 2019.

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Presiding Officer of the Senate

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16 Passed the House of Representatives the ____ day of _____,
17 2019.

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Presiding Officer of the House
of Representatives

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