

An Act

ENROLLED SENATE
BILL NO. 406

By: Garvin of the Senate

and

Boles and McEntire of the
House

An Act relating to the University Hospitals Authority; amending 10 O.S. 2011, Section 175.12, as amended by Section 32, Chapter 304, O.S.L. 2012 (10 O.S. Supp. 2020, Section 175.12), which relates to Children's Hospital of Oklahoma; modifying name; modifying purpose of hospital; deleting provisions relating to payment; updating managing entity; amending 10 O.S. 2011, Section 1150.3, which relates to Child Death Review Board; modifying names of certain facility and certain entity; amending 56 O.S. 2011, Section 300, which relates to Oklahoma Medical Center; modifying name of certain facility; allowing University Hospitals Authority to designate other names; amending 57 O.S. 2011, Section 509.6, which relates to special correctional unit for elderly, disabled and sick inmates; modifying name of certain facility; amending 63 O.S. 2011, Section 2654.2, which relates to Oklahoma Poison Control Center; deleting language relating to location, contracts and implementation; amending 63 O.S. 2011, Section 3202, as amended by Section 1, Chapter 495, O.S.L. 2019 (63 O.S. Supp. 2020, Section 3202), which relates to definitions; modifying definitions; authorizing Authority to assign certain facilities to certain entities; prohibiting certain use of titles without permission; amending 63 O.S. 2011, Section 3204, as amended by Section 3, Chapter 495, O.S.L. 2019 (63 O.S. Supp. 2020, Section 3204), which relates to transfer of property; modifying names of certain facilities; amending 63 O.S. 2011, Section 3206, which relates to Children's Hospital; modifying name;

broadening certain authority; amending 63 O.S. 2011, Section 3224, as last amended by Section 8, Chapter 495, O.S.L. 2019 (63 O.S. Supp. 2020, Section 3224), which relates to University Hospitals Trust; clarifying name of certain facility; amending 68 O.S. 2011, Section 302-1, which relates to taxation of cigarettes; updating certain fund; amending Section 3, Chapter 394, O.S.L. 2013, as last amended by Section 1, Chapter 10, 2nd Extraordinary Session, O.S.L. 2018 (70 O.S. Supp. 2020, Section 18-114.14), which relates to salary of school employees; clarifying location and managing entity of certain facility; amending 70 O.S. 2011, Section 3307, which relates to University Hospital Psychiatry and Neurology Service; modifying definition; updating and clarifying language; making language gender-neutral; amending 72 O.S. 2011, Section 356, which relates to cooperative program for referral and screening of veterans; modifying names of certain facilities; repealing 10 O.S. 2011, Section 175.13, which relates to Oklahoma Medical Center Disbursing Fund; and providing an effective date.

SUBJECT: University Hospitals Authority

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

SECTION 1. AMENDATORY 10 O.S. 2011, Section 175.12, as amended by Section 32, Chapter 304, O.S.L. 2012 (10 O.S. Supp. 2020, Section 175.12), is amended to read as follows:

Section 175.12. ~~(a)~~ A. The Oklahoma Children's Hospital of Oklahoma, including its clinics and laboratories, is hereby designated as a service institution for the physically handicapped children of this state, which also serves persons under twenty-one (21) years of age and shall have the authority to extend services to persons twenty-one (21) years or older. The Oklahoma Children's Hospital shall also serve as a teaching and training hospital for the School of Medicine of the University of Oklahoma. ~~Payment for~~

~~services by the Commission to the Children's Hospital of Oklahoma shall be based on the actual per diem cost of patient care exclusive of professional instructional expense. In the event that the Commission and Board of Regents of the University of Oklahoma cannot agree on a per diem charge for patients of the Commission, the Director of the Office of Management and Enterprise Services, with the approval of the Governor, is hereby authorized to establish a rate of pay which shall prevail. The Children's Hospital of Oklahoma shall grant the Commission a priority in the assignment of hospital services, which are to be distributed as equitably as is possible among the counties of this state.~~

~~(b) B. The ~~Commission~~ University Hospitals Authority shall be obligated, insofar as practicable, to use the available facilities of the Oklahoma Children's Hospital of Oklahoma to a degree that will enable the University of Oklahoma School of Medicine to maintain its proper patient ratio for accreditation; ~~Provided~~ provided, that this provision shall not cause undue hardship to a patient.~~

SECTION 2. AMENDATORY 10 O.S. 2011, Section 1150.3, is amended to read as follows:

Section 1150.3. A. The Child Death Review Board shall be composed of twenty-seven (27) members, or their designees, as follows:

1. Fourteen of the members shall be:
 - a. the Chief Medical Examiner,
 - b. the Director of the Department of Human Services, or a designee, provided the designee shall be a person assigned to the Child Welfare Division of the Department,
 - c. the State Commissioner of Health,
 - d. the Director of the Office of Child Abuse Prevention,
 - e. the Director of the Oklahoma Commission on Children and Youth,

- f. the Chief Child Abuse Medical Examiner,
- g. the Chief of Maternal and Child Health Services of the State Department of Health,
- h. the Commissioner of Mental Health and Substance Abuse Services,
- i. the Chair of the Child Protection ~~Committee~~ Team of the Oklahoma Children's Hospital ~~of Oklahoma~~,
- j. the Director of the Office of Juvenile Affairs,
- k. the Chief of Injury Prevention Services of the State Department of Health,
- l. the State Epidemiologist of the State Department of Health,
- m. the Director of the Oklahoma State Bureau of Investigation, and
- n. the Chief Executive Officer of the Oklahoma Health Care Authority; and

2. Thirteen of the members shall be appointed by the Director of the Oklahoma Commission on Children and Youth, shall serve for terms of two (2) years, and shall be eligible for reappointment. The members shall be persons having training and experience in matters related to the abuse or neglect of a child. The appointed members shall include:

- a. a law enforcement officer selected from lists submitted by the executive boards of organizations representing sheriffs and peace officers in this state,
- b. an attorney licensed in this state who is in private practice selected from a list submitted by the executive board of the Oklahoma Bar Association,

- c. a district attorney selected from a list submitted by the District Attorney's Council,
- d. a physician selected from lists submitted by statewide organizations representing physicians in this state,
- e. a physician selected from lists submitted by statewide organizations representing osteopathic physicians in this state,
- f. a member of the State Post-Adjudication Review Advisory Board,
- g. a social worker selected from a list submitted by each organization representing social workers,
- h. an individual selected from lists submitted by Oklahoma court-appointed special advocate associations,
- i. a psychologist selected from lists submitted by Oklahoma psychological associations,
- j. a member of a Native American Tribe involved in the area of protection of Native American children selected from a list submitted by the Oklahoma Indian Affairs Commission,
- k. an individual selected from lists submitted by Oklahoma coalitions or associations against domestic violence and sexual assault,
- l. a pediatric physician selected from lists submitted by organizations of pediatric physicians or osteopaths, and
- m. a member of an emergency medical technicians association.

B. Every two (2) years the Board shall elect from among its membership a chair and a vice-chair. The Board shall meet at least quarterly and may meet more frequently as necessary as determined by

the chair. Members shall serve without compensation but may be reimbursed for necessary travel out of funds available to the Commission pursuant to the State Travel Reimbursement Act; provided, that the reimbursement shall be paid in the case of state employee members by the agency employing the member.

C. With funds appropriated or otherwise available for that purpose, the Commission shall provide administrative assistance and services to the Child Death Review Board.

SECTION 3. AMENDATORY 56 O.S. 2011, Section 300, is amended to read as follows:

Section 300. The Oklahoma Medical Center shall include the University Hospital, the Oklahoma Children's Hospital of Oklahoma, the O'Donaghue Rehabilitation Institution, the Child Study Center, and any other institutions operated by a private entity under a joint operating agreement in which any of the state institutions listed in this section are leased to a private entity pursuant to the University Hospitals Authority Act. The University Hospitals Authority may, at its discretion, designate other names under which the Oklahoma Medical Center may operate.

SECTION 4. AMENDATORY 57 O.S. 2011, Section 509.6, is amended to read as follows:

Section 509.6. The Department of Corrections is authorized, pursuant to the Board of Corrections resolution on May 22, 1998 and subject to legislative appropriation, to establish a special correctional unit expansion at the Joseph Harp Correctional Center in Lexington, Oklahoma, designed solely for the imprisonment of elderly persons, physically disabled persons, persons in need of infirmary care, and persons in need of specialized care or treatment as an outpatient in the Oklahoma City Metropolitan area in the custody of the Department. The Department shall consider the unique needs of the elderly offender and the physically disabled offender when designing the unit or renovating an existing unit for this purpose and when implementing any program or service for such persons.

Only the following offenders shall be eligible for placement in the facility:

1. Persons age fifty-five (55) years or older who are deemed not suitable for placement in the general population of another facility;

2. Persons who are physically disabled upon reception into the custody of the Department, or who become physically disabled during the term of their incarceration within the custody of the Department, and whose disability requires the continuous use of a wheelchair or other special equipment, or whose disability requires special assistance, services or accommodations which another facility is not designed or equipped to meet;

3. Persons requiring an infirmary with twenty-four-hour nursing care; and

4. Persons having appointments or other needs for medical services which are provided at Griffin Memorial Hospital, ~~Oklahoma Memorial~~ University Hospital or other medical facilities in the Oklahoma City metropolitan area and that are coming from and returning to other Department correctional facilities.

SECTION 5. AMENDATORY 63 O.S. 2011, Section 2654.2, is amended to read as follows:

Section 2654.2. There is hereby created the Oklahoma Poison Control Center within ~~Children's Hospital of Oklahoma. The University Hospitals Authority shall contract with the University of Oklahoma Health Sciences Center College of Pharmacy for the implementation of this act.~~ The purpose of the center is to implement a statewide emergency poison and drug information program designed and structured to deliver reliable, accurate, qualified professional judgments and responses to requests for emergency poison and drug information data.

SECTION 6. AMENDATORY 63 O.S. 2011, Section 3202, as amended by Section 1, Chapter 495, O.S.L. 2019 (63 O.S. Supp. 2020, Section 3202), is amended to read as follows:

Section 3202. A. As used in the University Hospitals Authority Act:

1. "University Hospitals" include ~~the Oklahoma Memorial Hospital, which shall be renamed University Hospital; the, Oklahoma Children's Hospital of Oklahoma; the Child Study Center; and the O'Donoghue Rehabilitation Institute~~ and any and all inpatient and outpatient hospital and clinical facilities and office and research buildings, facilities or property owned by or under the management and control of the University Hospitals Authority or the University Hospitals Trust;

2. "Authority" means the University Hospitals Authority;

3. "Department" means the Department of Human Services;

4. "Commission" means the Commission for Human Services or the Oklahoma Public Welfare Commission;

5. "University Hospital" means ~~Everett Tower and the North Pavilion, which have been renamed as Children's Hospital at the University of Oklahoma Medical Center~~ the inpatient and outpatient hospital and clinical facilities and office and research buildings, facilities or property assigned for the use of University Hospital by the University Hospitals Authority; and

6. "Oklahoma Children's Hospital of Oklahoma" means the Bielstein, Garrison, Nicholson and MRI towers which are no longer being used as hospitals inpatient and outpatient hospital and clinical facilities and office and research buildings, facilities or property assigned for the use of Oklahoma Children's Hospital by the University Hospitals Authority. Any statutory reference to "Children's Hospital of Oklahoma" or "Children's Hospital" shall be construed to refer to Oklahoma Children's Hospital as defined in this section.

B. The University Hospitals Authority may assign any inpatient and outpatient hospital and clinical facilities, research buildings, facilities or property and any other buildings, facilities or property under its ownership or management and control to University Hospital, Oklahoma Children's Hospital or any other division or entity which is part of University Hospitals.

C. No person or entity shall use the title "Oklahoma Children's Hospital" or "Children's Hospital of Oklahoma" for any purpose

without the express permission of the University Hospitals Trust. No person or entity shall use the title "Children's Hospital" with respect to Children's Hospital of Oklahoma as defined in this section without the express permission of the University Hospitals Trust.

SECTION 7. AMENDATORY 63 O.S. 2011, Section 3204, as amended by Section 3, Chapter 495, O.S.L. 2019 (63 O.S. Supp. 2020, Section 3204), is amended to read as follows:

Section 3204. A. Until July 1, 1993, the University Hospitals shall be under the jurisdiction, supervision, management and control of the Department of Human Services and the Commission for Human Services.

B. Effective July 1, 1993, the University Hospitals are hereby transferred from the Department of Human Services and the Commission for Human Services to the University Hospitals Authority.

C. The transfer shall include:

1. All powers, duties, responsibilities, properties, assets, fund balances, encumbrances, obligations, records, personnel and liabilities, including, but not limited to, liability for all University Hospital employees' sick leave, annual leave, holidays, unemployment benefits and workers' compensation benefits accruing to employees prior to July 1, 1993, which are attributable to the University Hospitals; provided, however, that any claims arising under the Governmental Tort Claims Act and filed prior to July 1, 1993, and from any other actions filed prior to July 1, 1993, shall remain the responsibility of the Department of Human Services and the Commission for Human Services. All claims arising prior to July 1, 1993 and for which no action has been filed shall be paid by the Risk Management Program;

2. Oklahoma Children's Hospital ~~of Oklahoma~~ and all buildings and appurtenances located on land which is described as follows: Blocks B, 3, 4, 12 and 13, and the North 30 feet of Block 14; and Lots 6 through 15, Block 21, CULBERTSON HEIGHTS ADDITION less and except the West 7 feet of Lot 5 and all of Lots 6 through 19, and the East 5 feet of Lot 20 and the North 59.5 feet of Lots 21 through 26, and the North 59.5 feet of the West 49.5 feet of Lot 27, all in

Block 13, CULBERTSON HEIGHTS ADDITION to the City of Oklahoma City, Oklahoma, and also less and except the West 106 feet of the vacated Northeast 12th Street abutting said Block 13; and a part of Block 20, CULBERTSON HEIGHTS ADDITION and a part of the alleys adjacent thereto, and a part of the SW 1/4, Section 26, T12N, R3W, I.M., and a part of the SE 1/4, Sec. 27, T12N, R3W, I.M., Oklahoma County, Oklahoma, and a part of vacated Kelley Avenue adjacent thereto, more particularly described as follows: Commencing at the NE corner of Block 20, CULBERTSON HEIGHTS ADDITION, Oklahoma City, Oklahoma, thence S. 0 degrees 03' 34" E. and along the East line of said Block 20 and along the West Right-of-Way line of Stonewall Avenue a distance of 10 ft. to the point or place of beginning; thence continuing S. 0 degrees 03' 34" E. and along the East line of said Block 20 and along the West Right-of-Way line of Stonewall Avenue a distance of 341.27 ft., thence N. 89 degrees 54' 35" W. a distance of 520.10 ft., thence N. 0 degrees 11' 08" E. a distance of 18.0 ft.; thence N. 89 degrees 48' 52" W. a distance of 12.0 ft.; thence N. 0 degrees 11' 08" E. a distance of 6 ft.; thence N. 89 degrees 48' 52" W. a distance of 21.5 ft., thence N. 0 degrees 11' 08" E. a distance of 22.5 ft., thence N. 89 degrees 48' 52" W. a distance of 286.5 ft., thence N. 89 degrees 48' 52" W. a distance of 27.00 feet; thence N. 0 degrees 12' 03" E. a distance of 72.50 feet; thence N. 89 degrees 48' 51" W. a distance of 25.65 feet; thence N. 23 degrees 29' 12" W. a distance of 250.50 feet to a point on the South Right-of-Way line of N.E. 13th Street; thence S. 89 degrees 48' 51" E. and along the South Right-of-Way line of N.E. 13th Street a distance of 649.76 feet; to a point in the East line of said SE 1/4 of Section 27, T12N, R3W, thence S. 0 degrees 06' 23" W. along the East line of said Section 27, a distance of 10.0 ft., thence N. 89 degrees 33' 42" E. and parallel to and 10 ft., South of the North line of said Block 20 of said CULBERTSON HEIGHTS ADDITION a distance of 342.10 ft. to the point or place of beginning; and

3. a. ~~Oklahoma Memorial~~ University Hospital and all buildings and appurtenances located on land which is described as follows: A part of the South Half of the Southeast Quarter of Section 27, T12N, R3W of the Indian Meridian AND a part of the North Half of the Northeast Quarter of Section 34, T12N, R3W, of the Indian Meridian, all in Oklahoma County, Oklahoma, more particularly described as follows: Beginning at the Southwest corner of Block 13, HOWE'S CAPITOL

ADDITION; thence N. 0 degrees 10' 36" E. along the East line of Phillips Avenue a distance of 674.64 feet to a point on the South line of Northeast 13th Street; thence S. 89 degrees 48' 51" E. along the South line of said Northeast 13th Street a distance of 620.30 feet; thence S. 23 degrees 29' 12" E. a distance of 250.50 feet; thence S. 89 degrees 48' 51" E. a distance of 25.65 feet; thence S. 0 degrees 12' 03" W. a distance of 72.50 feet; thence S. 89 degrees 48' 51" E. a distance of 27.00 feet; thence S. 00 degrees 12' 03" W. a distance of 443.57 feet; thence S. 89 degrees 43' 03" E. a distance of 32.95 feet; thence S. 00 degrees 14' 28" W. along the East line of a retaining wall a distance of 733.66 feet to a point on the South line of Block 1 of OAK PARK ADDITION; thence S. 89 degrees 52' 55" W. along the South line of Blocks 1 and 7 of OAK PARK ADDITION a distance of 810.11 feet to the Southwest corner of said Block 7; thence N. 00 degrees 10' 36" E. along the West line of said Block 7, OAK PARK ADDITION a distance of 213.87 feet; thence N. 89 degrees 49' 24" W. a distance of 3.40 feet; thence N. 00 degrees 10' 36" E. along the West line of Block 24, HOWE'S CAPITOL ADDITION a distance of 190.00 feet; thence S. 89 degrees 49' 24" E. a distance of 8.10 feet; thence N. 00 degrees 10' 36" E. along the West line of Block 18, HOWE'S CAPITOL ADDITION a distance of 405.00 feet to the Point of Beginning and containing 1,146,572 Square Feet or 26.32 Acres more or less;

- b. That portion of the property described in subparagraph a known as the Research Building shall be transferred to the Authority, but shall be leased to the University of Oklahoma for a term of not less than forty (40) years from the date thereof; and
- c. All of Blocks 1 and 2 of Culbertson Heights Addition, and all of Block 3 and Lots 3 through 20 and the North 50 feet of Lots 21 through 38 of Block 12, Oak Park Addition to the City of Oklahoma City, Oklahoma, including the encompassed and abutting portions of the vacated Northeast 11th Street, Park Place and

Northeast 10th Street, and the abutting portion of Everest Avenue and the alley way in Block 12 of the said Oak Park Addition.

D. Properties to be retained by the Department of Human Services include:

1. The Service Center Building and land located on: The South 100 feet of Block 12 and all of Block 17, Oak Park Addition to the City of Oklahoma City, Oklahoma, including the encompassed or abutting portions of vacated Everest Avenue and Northeast 9th Street. (219,300 sq. ft., 5.03 acres); and

2. The Management Information Division Building and land located on: The West 7 feet of Lot 5 and all of Lots 6 through 19, and the East 5 feet of Lot 20 and the North 59.5 feet of Lots 21 through 26, and the North 59.5 feet of the West 49.5 feet of Lot 27, all in Block 13, Culbertson Heights Addition to the City of Oklahoma City, Oklahoma, and also including the West 106 feet of the vacated Northeast 12th Street abutting said Block 13. (82,199 sq. ft., 1.89 acres).

E. Appropriate conveyances shall be executed to effectuate the transfers specified by subsections B, C and D of this section.

SECTION 8. AMENDATORY 63 O.S. 2011, Section 3206, is amended to read as follows:

Section 3206. Oklahoma Children's Hospital ~~of Oklahoma~~ shall serve as a general hospital and service institution for persons under twenty-one (21) years of age and shall have the authority to extend ~~transplant~~ services to persons twenty-one (21) years or older.

SECTION 9. AMENDATORY 63 O.S. 2011, Section 3224, as last amended by Section 8, Chapter 495, O.S.L. 2019 (63 O.S. Supp. 2020, Section 3224), is amended to read as follows:

Section 3224. A. The State of Oklahoma expressly approves the creation of a public trust to be denominated the "University Hospitals Trust", of which the State of Oklahoma shall be the

beneficiary, provided such approval shall be contingent upon the following conditions being satisfied:

1. Finalizing of the Declaration of Trust;
2. Adoption of the Declaration of Trust by an official action of the trustees of the Trust;
3. Submission of the Trust for acceptance of the beneficial interest and approval as required by Section 177 of Title 60 of the Oklahoma Statutes; and
4. The approved Declaration of Trust shall:
 - a. clearly state that the principal purpose of the University Hospitals Trust is to effectuate the purposes of the University Hospitals Authority as established in the University Hospitals Authority Act,
 - b. except as otherwise provided by law, provide that the fee simple title to real property held by the University Hospitals Authority shall not be transferred, conveyed, or assigned to the University Hospitals Trust without the express consent of the Legislature as the governing entity of the beneficiary pursuant to Section 176 of Title 60 of the Oklahoma Statutes,
 - c. provide that any indebtedness incurred by the University Hospitals Trust or the trustees of the Trust shall not be secured with or create a lien upon real property to which title is held by the University Hospitals Authority and shall not involve the bonding capacity of the University Hospitals Authority,
 - d. provide that the trust estate of the University Hospitals Trust shall not include fee simple title to real property owned by the University Hospitals Authority,
 - e. clearly state that the creation of the University Hospitals Trust shall not in any way reduce, limit or

interfere with the power granted to the University Hospitals Authority in the University Hospitals Authority Act,

- f. provide that any lease or contractual agreement involving use of the real property to which title is held by the University Hospitals Authority and any improvements thereto shall contain a provision and covenants requiring the proper maintenance and upkeep of the real property and improvements,
- g. provide that the trustees of the University Hospitals Trust shall be the acting members of the University Hospitals Authority as provided in the University Hospitals Authority Act, and
- h. provide that the trustees of the University Hospitals Trust shall have the duty to submit an annual report to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives. The report shall be submitted by January 1 of each year and shall include an account of all operations, actions of the Trust, account of all revenue received and disbursed by the Trust for the previous fiscal year. The report shall also provide a complete accounting of how the Trust meets its primary function of effectuating the purposes of the University Hospitals Authority, as established in the University Hospitals Authority Act.

B. The University Hospitals Trust shall require any agreements which it enters into with any entity pursuant to Section 3226 of this title for the operations of facilities leased by the University Hospitals Authority to the Trust to include, but not be limited to:

1. The inclusion of four of the five members of the Trust as four of the five members representing the State of Oklahoma as state appointees to the governing committee created pursuant to a proposed agreement;

2. Binding arbitration shall not be involved in such agreements for resolving issues under consideration by the governing committee; and

3. Major decisions shall be resolved by the governing committee, and approval of any major decision by the governing committee must include the approval of a majority of the state appointees and the approval of a majority of the members of the private entity appointees to the governing committee. Major decisions shall include:

- a. approval of the annual operating and capital budgets,
- b. sale or disposition of assets that individually have a fair market value over Two Hundred Fifty Thousand Dollars (\$250,000.00),
- c. the termination or transfer or material addition or material diminution of medical services at the Oklahoma Medical Center related to and part of a teaching program of the University of Oklahoma Health Sciences Center, and
- d. other major decisions as may be agreed upon by the Trust and the private entity.

C. To the extent it is determined by legislative enactment that the Trust has expended funds in contravention of its mission as set forth in this section, the Trust shall remit, upon thirty (30) days' written notice from the University Hospitals Authority, such sum or sums to the University Hospitals Authority.

D. In the event the Trust enters into a joint venture or acquires an interest in a not-for-profit entity to effectuate the administration of the mission of the Trust, that entity shall not be subject to the Oklahoma Open Meeting Act and the Oklahoma Open Records Act. Any information submitted to or compiled by the Trust with respect to marketing plans, financial statements, trade secrets, research concepts, methods or products or any other proprietary information submitted to or compiled by the Trust, persons, firms, associations, partnerships, agencies, corporations, institutions of higher education, nonprofit research institutions or

other entities shall be confidential, except to the extent that the person or entity which provided such information or which is the subject of such information consents to disclosure. Executive sessions may be held to discuss such materials if deemed necessary by the Trust. The provisions of this subsection shall not apply to budgetary information related to appropriations or the appropriations process.

E. In addition to the powers and exemptions granted to state beneficiary public trusts organized under Section 176 et seq. of Title 60 of the Oklahoma Statutes, the Trust shall possess all the statutory powers and exemptions provided to the University Hospitals Authority.

F. The Trust shall have the authority or may contract with a joint operator or with a foundation supporting the programs of Oklahoma Children's Hospital to sell naming rights to property owned or leased by the Trust, provided proceeds from the sale of naming rights are used to effectuate the purposes of the University Hospitals Authority as established in the University Hospitals Authority Act and are specifically approved by the Trust, which shall have absolute discretion in granting or denying naming rights. Naming rights shall not include any interest in the property by the purchaser other than the naming rights.

SECTION 10. AMENDATORY 68 O.S. 2011, Section 302-1, is amended to read as follows:

Section 302-1. ~~(a)~~ A. In addition to the tax levied in Section 302 of this title, there is hereby levied upon the sale, use, gift, possession, or consumption of cigarettes, as defined in Sections 301 through 325 of this title, within the State of Oklahoma a tax at the rate of two and one-half (2 1/2) mills per cigarette. Such tax shall be evidenced by tax stamps as now provided for by law for other cigarette taxes, except that as to cigarette packages of less than ten cigarettes for free distribution as samples, the tax levied in this section shall be computed and paid as provided for other cigarette taxes without affixing stamps on each such package.

~~(b)~~ B. No part of the revenues resulting from the additional tax levied in this section shall be used in determining the amount of cigarette tax collections to be paid into the State of Oklahoma

Building Bonds of 1961 Sinking Fund pursuant to the provisions of Sections 57.31 through 57.43 of Title 62 of the Oklahoma Statutes, into the State of Oklahoma Building Bonds of 1965 Sinking Fund pursuant to the provisions of Sections 57.51 through 57.60 of Title 62 of the Oklahoma Statutes, or into the State of Oklahoma Institutional Building Bonds of 1965 Sinking Fund pursuant to the provisions of Sections 57.61 through 57.73 of Title 62 of the Oklahoma Statutes.

~~(e)~~ C. The revenues resulting from the additional tax levied in this section through June 30, 1968, shall be apportioned by the Oklahoma Tax Commission and transmitted to the State Treasurer, who shall deposit the same in the State Treasury in a fund to be known as the "State of Oklahoma Building Bonds of 1968 Reserve Fund", which fund is hereby created. The Legislature shall appropriate monies from such fund or so much thereof as may be deemed necessary; first, for the payment of interest and principal upon any bonds issued for capital improvements pursuant to the provisions of Section 38 of Article X of the Oklahoma Constitution; second, for other capital improvements at state institutions; third, for operating expenses of such capital improvements; and fourth, for any other purposes of state government. From and after July 1, 1968, all revenues resulting from the additional tax levied in this section, except revenues dedicated to the retirement of the State of Oklahoma Building Bonds of 1968, Series A, B, C, D and E, or any refunding of any or all of such series, and except revenues required to be deposited in the ~~Oklahoma Memorial Hospital Fund~~ University Hospitals Authority Disbursing Fund, shall be apportioned by the Oklahoma Tax Commission and transmitted to the State Treasurer, who shall deposit the same in the General Revenue Fund.

~~(d)~~ D. The cigarette tax levied in this section shall be collected and administered in all respects not inconsistent with as now or hereafter provided for by law for other cigarette taxes now levied, collected and administered pursuant to the provisions of Sections 301 through 325 of this title.

SECTION 11. AMENDATORY Section 3, Chapter 394, O.S.L. 2013, as last amended by Section 1, Chapter 10, 2nd Extraordinary Session, O.S.L. 2018 (70 O.S. Supp. 2020, Section 18-114.14), is amended to read as follows:

Section 18-114.14. A. Beginning with the 2018-2019 school year, certified personnel, as defined in Section 26-103 of this title, in the public schools of Oklahoma shall receive in salary and/or fringe benefits not less than the amounts specified in the following schedule:

MINIMUM SALARY SCHEDULE

Years of Experience	National			
	Bachelor's Degree	Board Certification	Master's Degree	Doctor's Degree
0	\$36,601	\$37,759	\$37,991	\$39,381
1	\$37,035	\$38,193	\$38,425	\$39,815
2	\$37,469	\$38,628	\$38,859	\$40,249
3	\$37,904	\$39,062	\$39,294	\$40,684
4	\$38,338	\$39,496	\$39,728	\$41,118
5	\$38,810	\$39,968	\$40,200	\$41,590
6	\$39,273	\$40,432	\$40,663	\$42,054
7	\$39,737	\$40,895	\$41,127	\$42,517
8	\$40,200	\$41,358	\$41,590	\$42,980
9	\$40,663	\$41,822	\$42,054	\$43,444
10	\$41,684	\$42,844	\$43,568	\$45,945
11	\$42,177	\$43,336	\$44,061	\$46,438
12	\$42,670	\$43,829	\$44,554	\$46,931
13	\$43,162	\$44,322	\$45,047	\$47,424

14	\$43,655	\$44,815	\$45,539	\$47,916
15	\$44,167	\$45,327	\$46,052	\$48,430
16	\$44,660	\$45,820	\$46,545	\$48,923
17	\$45,153	\$46,313	\$47,038	\$49,416
18	\$45,646	\$46,806	\$47,531	\$49,909
19	\$46,139	\$47,299	\$48,024	\$50,402
20	\$46,652	\$47,813	\$48,538	\$50,917
21	\$47,145	\$48,306	\$49,031	\$51,410
22	\$47,639	\$48,799	\$49,524	\$51,903
23	\$48,132	\$49,292	\$50,018	\$52,397
24	\$48,625	\$49,785	\$50,511	\$52,890
25	\$50,049	\$51,232	\$51,971	\$54,395

Master's Degree +

Years of National Board

Experience Certification

0	\$39,149
1	\$39,583
2	\$40,018
3	\$40,452
4	\$40,886
5	\$41,358

6	\$41,822
7	\$42,285
8	\$42,749
9	\$43,212
10	\$44,728
11	\$45,221
12	\$45,713
13	\$46,206
14	\$46,699
15	\$47,212
16	\$47,705
17	\$48,198
18	\$48,691
19	\$49,184
20	\$49,698
21	\$50,192
22	\$50,685
23	\$51,178
24	\$51,671
25	\$53,153

B. 1. When determining the Minimum Salary Schedule, "fringe benefits" shall mean all or part of retirement benefits, excluding

the contributions made pursuant to subsection A of Section 17-108.1 of this title and the flexible benefit allowance pursuant to Section 26-105 of this title from the flexible benefit allowance funds disbursed by the State Board of Education and the State Board of Career and Technology Education pursuant to Section 26-104 of this title.

2. If a school district intends to provide retirement benefits to a teacher such that the teacher's salary would be less than the amounts set forth in the minimum salary schedule specified in subsection A of this section, the district shall be required to provide written notification to the teacher prior to his or her employment or, if already employed by the district, no later than thirty (30) days prior to the date the district elects to provide retirement benefits such that the teacher's salary would be less than the minimum salary schedule.

C. Any of the degrees referred to in this section shall be from a college recognized by the State Board of Education. The Board shall accept teaching experience from out-of-state school districts that are accredited by the state board of education or appropriate state accrediting agency for the districts. The Board shall accept teaching experience from out-of-country schools that are accredited or otherwise endorsed by the appropriate national or regional accrediting or endorsement authority. Out-of-country certification documentation in a language other than English shall be analyzed by an educational credential evaluation service in accordance with industry standards and guidelines and approved by the State Department of Education. The person seeking to have credit granted for out-of-country teaching experience shall be responsible for all costs of the analysis by a credential evaluation service. The Board shall accept teaching experience from primary and secondary schools that are operated by the United States Department of Defense or are affiliated with the United States Department of State.

D. For the purpose of state salary increments and retirement, no teacher shall be granted credit for more than five (5) years of active duty in the military service or out-of-state or out-of-country teaching experience as a certified teacher or its equivalent. Nothing in this section shall prohibit boards of education from crediting more years of experience on district salary schedules than those allowed for state purposes.

E. The State Board of Education shall recognize, for purposes of certification and salary increments, all the years of experience of a:

1. Certified teacher who teaches in the educational program of the Department of Corrections, beginning with fiscal year 1981;

2. Vocational rehabilitation counselor under the Department of Human Services if the counselor was employed as a certified teacher by the State Department of Education when the Division of Vocational Rehabilitation was transferred from the State Board of Career and Technology Education or the State Board of Education to the Oklahoma Public Welfare Commission on July 1, 1968;

3. Vocational rehabilitation counselor which were completed while employed by the Department of Human Services if such counselor was certified as a teacher or was eligible for certification as a teacher in Oklahoma;

4. Certified teacher which were completed while employed by the ~~Department of Human Services~~ Child Study Center located at University Hospital, if the teacher was certified as a teacher in Oklahoma; and

5. Certified school psychologist or psychometrist which were completed while employed as a doctoral intern, psychological assistant, or psychologist with any agency of the State of Oklahoma if the experience primarily involved work with persons of school- or preschool-age and if the person was, at the time the experience was acquired, certified as, or eligible for certification as, a school psychologist or psychometrist.

F. The provisions of this section shall not apply to teachers who have entered into postretirement employment with a public school in Oklahoma and are still receiving a monthly retirement benefit.

G. If a person employed as certified personnel, as defined in Section 26-103 of this title, by a school district during the 2017-2018 school year was receiving a salary above the step level indicated by the State Minimum Salary Schedule for the 2017-2018 school year, the person shall receive a salary increase amount equal

to the amount indicated in subsection A for the step level indicated for the person, provided they remain employed by the same district, unless the hours or the duties of the certified personnel are reduced proportionately.

SECTION 12. AMENDATORY 70 O.S. 2011, Section 3307, is amended to read as follows:

Section 3307. A. It shall be the policy of the State and is the intent of this section to provide the citizens of Oklahoma with a diagnostic and remedial psychiatry and neurology service, to provide the School of Medicine of the University of Oklahoma with a means of furnishing professional education and research in psychiatry and neurology, to provide for the administration and use of the facilities, located in the University Hospital, for this purpose.

~~(a)~~ B. The following terms when used in this section shall mean as herein defined:

~~(1)~~ 1. "University Hospital Hospitals" shall ~~mean the Oklahoma Memorial Hospital of the Oklahoma Medical Center.~~ include University Hospital, Oklahoma Children's Hospital and any and all inpatient and outpatient hospital and clinical facilities and office and research buildings, facilities or property owned by or under the management and control of the University Hospitals Authority or the University Hospitals Trust;

~~(2)~~ 2. "Psychiatry and Neurology Service" shall mean the diagnostic and therapeutic service for mental patients established in the psychiatric and neurological facilities of the University Hospital~~;~~

~~(3)~~ 3. "Psychiatric and neurological facilities" shall mean the psychiatry and neurology unit of the University Hospital and such ancillary facilities as may be necessary for its operation~~;~~

~~(4)~~ 4. "Chief" shall mean the Chief of the Psychiatry and Neurology Service~~;~~

~~(5)~~ 5. "School of Medicine" shall mean the School of Medicine of the University of Oklahoma Medical Center~~;~~ and

~~(6)~~ 6. "Board" shall mean the Board of Regents of the University of Oklahoma.

~~(b)~~ C. The psychiatry and neurology unit (commonly called the neuro-psychiatric unit) of the University Hospital shall be such clinics and laboratories of the University Hospital as may be required, together with the psychiatric and neurological facilities of the School of Medicine and the University Hospital.

D. The Board shall establish a Psychiatry and Neurology Service in the psychiatric and neurological facilities, to be used as a training and research unit for the teaching of psychiatry and neurology. The Service shall be established and operated under such conditions and terms as may be instituted by the School of Medicine and University Hospital with the approval of the Board and subject to the provisions of this section.

~~(c)~~ E. The Board shall appoint a full time Chief of Psychiatry and Neurology Service. The Chief of Psychiatry and Neurology Service shall be:

~~(1) He shall be licensed~~ 1. Licensed to practice medicine in this state and shall be qualified to supervise residency training and shall meet the standards established by the American Board of Psychiatry and Neurology or its successor;;

~~(2) He shall be appointed~~ 2. Appointed as a member of the faculty of the School of Medicine in the Department of Psychiatry and Neurology;; and

~~(3) He shall be in~~ 3. In charge of the Psychiatry and Neurology Service, subject to the general policies and direction of the University Hospital administration.

~~(d)~~ F. The admission of patients to the University Hospital Psychiatry and Neurology Service and the trial release of patients shall be based on the following criteria:;

~~(1)~~ 1. Admission shall be on the basis of the teaching needs, and requirements of the School of Medicine, in accordance with regulations approved by the Board;;

~~(2)~~ 2. Admission shall be in conformity with the mental health laws providing for the admission of mental patients to mental hospitals~~;~~;

~~(3)~~ 3. "Trial release" from inpatient to outpatient status is authorized in conformity with the state mental health laws in recognition of special therapeutic requirements of certain mental patients as determined by the Chief. Such trial release ~~will~~ shall be in the custody of the responsible relative or guardian~~;~~; and

~~(4)~~ 4. In case such custody is not assumed by the responsible relative or guardian within one week after written notice from the Chief, the patient may be committed or transferred by the Director of the Department of Mental Health and Substance Abuse Services to the appropriate state mental hospital.

~~(e)~~ G. 1. Authority is hereby provided for the transfer of any patient of the psychiatric and neurological facilities and services of the University Hospital to a component facility of the Department of Mental Health and Substance Abuse Services and for the transfer of any patient of a component facility of that Department to the University Hospital psychiatric and neurological facilities and services under such procedures as the Department and the School of Medicine may adopt, subject to the provisions of this section and the mental health laws of this state.

~~(1)~~ 2. The transfer of such patients shall be for the following purposes:

- a. to provide necessary patients for the teaching of diagnosis and therapy of mental illness, according to the needs of the School of Medicine,
- b. to make special diagnostic and/or therapeutic measures available to the patients, and
- c. to maintain the Psychiatry and Neurology Service of the University Hospital as a short term diagnostic and therapeutic facility.

~~(2)~~ 3. The procedure for transfer of patients provided for in ~~Paragraph (d), subparagraph (4) and this paragraph~~ this subsection and in paragraph 4 of subsection F of this section shall be determined by a board of three (3) members, one each to be appointed by the Director of the Department of Mental Health and Substance Abuse Services, the Superintendent of the University Hospital, and the State Commissioner of Health.

~~(f)~~ H. The discharge of certified patients from the Psychiatry and Neurology Service shall be determined by the consensus of a board of three (3) members from the Department of Psychiatry and Neurology, including the Chief. The Chief shall notify the court, which certified the patient originally, that the Board has concluded that the patient so certified is mentally well and is being discharged.

SECTION 13. AMENDATORY 72 O.S. 2011, Section 356, is amended to read as follows:

Section 356. A. The Department and the health science centers and other medical facilities of the University of Oklahoma, Oklahoma Children's Hospital of Oklahoma, Oklahoma Memorial Hospital, University Hospital or the Oklahoma College of Osteopathic Medicine shall institute a cooperative program to:

1. Refer veterans to appropriate state and federal agencies for the purpose of filing claims to remedy medical and financial problems caused by the veteran's exposure to chemical defoliants or herbicides or other causative agents, including Agent Orange; and

2. Initiate an education program for health professionals on the detection, diagnosis and treatment of the symptoms associated with exposure to chemical defoliants or herbicides or other causative agents, including Agent Orange.

B. The Commissioner shall adopt rules necessary to the administration of the programs authorized by this section.

SECTION 14. REPEALER 10 O.S. 2011, Section 175.13, is hereby repealed.

SECTION 15. This act shall become effective November 1, 2021.

Passed the Senate the 4th day of March, 2021.

Presiding Officer of the Senate

Passed the House of Representatives the 20th day of April, 2021.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____