



1 as the board shall prescribe. Provided, that the board shall meet  
2 at least two times each year;

3 2. Establish and maintain a county department of health, if the  
4 same, in the opinion of the board, will be to the best interest of  
5 the county;

6 3. Enter into agreements with county boards of health of other  
7 counties, and with the governing boards or boards of health of  
8 cities, towns and school districts lying wholly or partly in the  
9 county, ~~for the establishment and operation of district or~~  
10 ~~cooperative departments of health;~~

11 4. Prepare and submit to the county excise board, annually, an  
12 estimate of its needs, and needs for the operation of the county  
13 department of health, if any, or for its proportionate part of the  
14 costs of operation of a district or cooperative department of  
15 health, if it has entered into an agreement therefor;

16 5. Advise with the State Commissioner of Health on matters  
17 pertaining to public health in the county, and as to the appointment  
18 of the county superintendent of health or the medical director of  
19 the county, district or cooperative department of health; and

20 6. Adopt regulations, which shall be subject to the approval of  
21 the State Commissioner of Health and shall not be more stringent  
22 than state law and rules and regulations of the State Board of  
23 Health, to protect the public health in the county in emergencies.

24

1 SECTION 2. AMENDATORY 63 O.S. 2011, Section 1-205, is  
2 amended to read as follows:

3 Section 1-205. ~~(a)~~ A. The county board of health may, with the  
4 approval of the State Commissioner of Health, establish and maintain  
5 a county department of health, the maintenance and operation of  
6 which is hereby declared to be a function of county government for  
7 which appropriations may be made from the general fund of the county  
8 and the proceeds of a levy made in accordance with Section 9a~~7~~  
9 ~~Article X,~~ Article X of the Oklahoma Constitution.

10 ~~(b)~~ B. The county boards of health of two or more counties may,  
11 with the approval of the Commissioner, form a health district  
12 composed of such counties for public health purposes. The health  
13 district ~~shall~~ may have a district department of health which shall  
14 be operated, in such counties, in the same manner as county  
15 departments of health. A health district may also be comprised of  
16 multiple county health departments operating under agreement to  
17 share resources for purposes of enhancing health outcomes for the  
18 member counties, provided costs are allocated in proportion to  
19 resources utilized by each county.

20 ~~(c)~~ C. Cooperative departments of health may be formed by  
21 agreement between the county board of health of any county  
22 maintaining a county department of health, or the county boards of  
23 health of counties in a health district, and the governing boards of  
24 cities, towns, and school districts lying wholly or partly in such

1 county or health district. Any such agreement shall stipulate what  
2 health services will be provided to the cities, towns and school  
3 districts, which may be all or any of the services that may be  
4 provided by a county department of health, and shall also fix the  
5 amounts of funds to be paid by the cities, towns, and school  
6 districts for the services. All agreements made under the  
7 provisions of this section shall be subject to the approval of the  
8 State Commissioner of Health.

9 ~~(d)~~ D. A county department of health, a district department of  
10 health and a cooperative department of health shall be under the  
11 direction of a medical director, who shall perform his or her duties  
12 under the supervision of the Commissioner, and who shall, in  
13 addition to ~~his~~ other duties, perform the same powers, duties and  
14 functions in the county, in the health district, or in the  
15 cooperative department, as is provided by law for county  
16 superintendents of health. The Commissioner shall appoint and fix  
17 the duties and compensation of the medical director, who shall be a  
18 physician licensed under the laws of this state, and shall employ  
19 and fix the duties and compensation of such other personnel as ~~he~~  
20 the Commissioner deems necessary for the operation of the county  
21 department of health, the district department of health, or the  
22 cooperative department of health, all such personnel to be employed  
23 under provisions of the Oklahoma Personnel Act and paid by state  
24 warrant. Reimbursements to the State Department of Health shall be

1 paid by the county from the Section ~~9a~~ 9A of Article X of the  
2 Oklahoma Constitution, mill levy revenues, payable for the benefit  
3 of such county health department, district department of health, or  
4 the cooperative department of health and payable within thirty (30)  
5 days of receipt of an invoice therefor. Provided that, in any such  
6 local health department operating under the direction of a medical  
7 director who serves less than full time, the Commissioner may  
8 delegate nonmedical administrative duties to another employee of the  
9 county, district, or cooperative health department.

10 ~~(e)~~ E. The board of health or board of county commissioners of  
11 any county may contract with the ~~department~~ board of health or board  
12 of county commissioners of any ~~neighboring~~ county or the State  
13 Department of Health to provide the county any or all public health  
14 services. The county receiving the services shall pay for the  
15 ~~department~~ rendering the of services according to a schedule of fees  
16 and payments mutually agreed upon by the ~~State Board of Health and~~  
17 the county or counties affected. Such schedule of fees and payments  
18 shall be equal to the cost of the services provided.

19 SECTION 3. AMENDATORY 63 O.S. 2011, Section 1-208, is  
20 amended to read as follows:

21 Section 1-208. ~~(a)~~ A. It shall be the duty of the county  
22 excise board of each county if funds are available to make necessary  
23 appropriations to provide sufficient funds to pay the amounts due  
24 under any agreement entered into by the county board of health, or

1 by any city, town, or school district of the county, for or in  
2 connection with a district department of health or a cooperative  
3 department of health; and such funds shall be accounted for,  
4 obligated, expended and disbursed as directed by the State  
5 Commissioner of Health, who may require any or all such funds to be  
6 combined with others to be used for similar or related purposes.

7 ~~(b)~~ B. The Commissioner may enter into agreements with county  
8 boards of health, and with city-county boards of health, whereby  
9 state funds will be used in conjunction with county funds for the  
10 operation of county, district, cooperative and city-county  
11 departments of health. The Commissioner may pay such funds on a  
12 reimbursement or percentage of budgetary expenditures basis, or  
13 other basis; and if directed to do so by the Commissioner, the  
14 county clerk shall add the amount of any such funds to specified  
15 items of appropriation, and no further action or appropriation by  
16 the county excise board shall be required to make such funds  
17 available for expenditure.

18 C. Counties may, for the purposes of enhancing access to health  
19 initiatives and maximizing operational impact, agree to combine  
20 resources including county millage in a manner designating one  
21 county as the operational hub. In doing so, the millage provided by  
22 each county within the consortium shall be expended or reserved for  
23 the county of origin, ensuring each county's millage investment is  
24 expended for the benefit of the county residents.

SECTION 4. This act shall become effective November 1, 2021.

COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,  
dated 03/29/2021 - DO PASS.