

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 858

By: Jolley and Treat of the
Senate

4 and

5 Sears and Casey of the
6 House

7
8
9 AS INTRODUCED

10 An Act relating to the Oklahoma Health Care
11 Authority; providing for duties and compensation of
12 employees; authorizing payment of certain expenses;
13 requiring compliance with and providing budgetary
14 limitations; requiring budgeting and expenditure for
15 certain services; providing exemptions to budgetary
16 limitations; providing process for exemptions;
17 authorizing certain transfers; providing procedures;
18 providing lapse dates; requiring and prohibiting
19 certain budget procedures; and providing an effective
20 date.

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

22 SECTION 1. A. The duties and compensation of employees, not
23 otherwise prescribed by law, necessary to perform the duties imposed
24 upon the Oklahoma Health Care Authority by law shall be set by the
Administrator of the Oklahoma Health Care Authority.

B. The Oklahoma Health Care Authority is authorized to:

1 1. Pay professional expenses of the Administrator of the
2 Authority, including dues, licenses, professional memberships,
3 continuing medical education classes conducted in the State of
4 Oklahoma, and medical malpractice insurance; and

5 2. Pay professional expenses of any Oklahoma licensed
6 physician, including dues, licenses, professional memberships,
7 continuing medical education classes conducted in the State of
8 Oklahoma, and medical malpractice insurance, provided the physician
9 is a full-time employee of the Authority in accordance with
10 subsection B of Section 5006 of Title 63 of the Oklahoma Statutes or
11 paragraph 1 of subsection B of Section 840-5.5 of Title 74 of the
12 Oklahoma Statutes and utilizing those professional skills in the
13 performance of their job duties.

14 C. The Oklahoma Health Care Authority for the fiscal year
15 ending June 30, 2016, shall be subject to the following budgetary
16 limitations, except as may be authorized pursuant to the provisions
17 of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
19 Full-Time-Equivalent Employees	0.0
20 Lease-Purchase Agreements	\$0.00

21 Full-time-equivalent employees solely paid by grant funds will
22 not count against the agency's budgetary limitations as specified in
23 this section.

24

1 SECTION 2. For the fiscal year ending June 30, 2016, the
2 Oklahoma Health Care Authority shall budget all funds in the
3 following categories and amounts:

4	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
5	Operations	\$0.00	\$0.00
6	Medicaid Payments	0.00	0.00
7	Medicaid Contracted		
8	Services	0.00	0.00
9	Premium Assistance		
10	Program	0.00	0.00
11	Rehabilitation Services	0.00	0.00
12	OSA Non-Title-XIX		
13	Medical	0.00	0.00
14	Grants management	0.00	0.00
15	Non-Title-XIX Medical	<u>0.00</u>	<u>0.00</u>
16	TOTAL	\$0.00	\$0.00

17 SECTION 3. In order to facilitate cash management of federal
18 grant receipts and disbursements, the Office of Management and
19 Enterprise Services shall transfer monies between the Oklahoma
20 Health Care Authority federal and revolving funds in amounts
21 requested by the Oklahoma Health Care Authority.

22 SECTION 4. A. The Administrator of the Oklahoma Health Care
23 Authority may request in the manner provided in this section that
24 receipt and expenditure of unanticipated federal funds awarded after

1 July 1, 2015, be exempt from expenditure limitations and from
2 budgetary limitations.

3 1. The Administrator shall make a request for exemption to the
4 Office of Management and Enterprise Services in writing and file a
5 revised budget program.

6 2. The Administrator shall also file copies of the request for
7 exemption and budget work program revisions with the Oklahoma House
8 of Representatives Appropriations and Budget Committee Chair and the
9 Oklahoma State Senate Appropriations Committee Chair. The Oklahoma
10 House of Representatives Appropriations and Budget Committee Chair
11 and/or the Oklahoma State Senate Appropriations Committee Chair
12 shall notify the Office of Management and Enterprise Services of any
13 noncompliance of the request with legislative intent within twelve
14 (12) calendar days of their receipt of the exemption request.

15 B. The Office of Management and Enterprise Services shall
16 approve the request for exemption unless both the Chair and Vice
17 Chair of the Joint Legislative Committee on Budget and Program
18 Oversight provide written notification to the Office of Management
19 and Enterprise Services within twelve (12) calendar days of the
20 Committee's receipt of the exemption request that the exemption
21 subverts the intention and objectives of the Legislature in
22 establishing the original limit. The Office of Management and
23 Enterprise Services shall give written notice of approval or
24 disapproval of each exemption to the agency, the Governor and the

1 Chair of the Oklahoma House of Representatives Appropriations and
2 Budget Committee and the Chair of the Oklahoma State Senate
3 Appropriations Committee within eighteen (18) calendar days of
4 receiving the request.

5 SECTION 5. The Office of Management and Enterprise Services
6 shall transfer monies appropriated from the General Revenue Fund to
7 the Oklahoma Health Care Authority disbursing funds in the amounts
8 and ratios requested by the Authority except that the cumulative
9 amount transferred shall not exceed the cumulative amount of equal
10 monthly allotments of the appropriation from the General Revenue
11 Fund. Monies appropriated or collected for the fiscal year ending
12 June 30, 2016, may be transferred to these disbursing funds for the
13 fiscal year ending June 30, 2015, to satisfy encumbrances and
14 obligations of said fiscal year; provided, that monies equal in
15 amount are transferred from appropriations or collections for the
16 fiscal year ending June 30, 2015, to the disbursing fund for the
17 fiscal year ending June 30, 2016, to satisfy encumbrances and
18 obligations of said fiscal year. All transfer requests shall be in
19 writing to the Office of Management and Enterprise Services. The
20 Oklahoma Health Care Authority shall maintain records of the inter-
21 year transfers.

22 SECTION 6. The Administrator of the Oklahoma Health Care
23 Authority may request through the Office of Management and
24 Enterprise Services the early transfer by the Oklahoma Tax

1 Commission of tax collections to the General Revenue Fund for the
2 purpose of early allocation to the agency's disbursing funds to
3 alleviate cash-flow problems.

4 SECTION 7. Appropriations made by this act, not including
5 appropriations made for capital outlay purposes, may be budgeted for
6 the fiscal year ending June 30, 2016 (hereafter FY-16) or may be
7 budgeted for the fiscal year ending June 30, 2017 (hereafter FY-17).
8 Funds budgeted for FY-15 may be encumbered only through June 30,
9 2016, and must be expended by November 15, 2016. Any funds
10 remaining after November 15, 2016, and not budgeted for FY-17, shall
11 lapse to the credit of the proper fund for the then current fiscal
12 year. Funds budgeted for FY-17 may be encumbered only through June
13 30, 2017. Any funds remaining after November 15, 2017, shall lapse
14 to the credit of the proper fund for the then current fiscal year.
15 These appropriations may not be budgeted in both fiscal years
16 simultaneously. Funds budgeted in FY-17, and not required to pay
17 obligations for that fiscal year, may be budgeted for FY-17, after
18 the agency to which the funds have been appropriated has prepared
19 and submitted a budget work program revision removing these funds
20 from the FY-16 budget work program and after such revision has been
21 approved by the Office of Management and Enterprise Services.

22 SECTION 8. This act shall become effective September 1, 2015.
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