STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1830

By: Hamilton (James) and Steidley of the House

and

Taylor and Haney of the Senate

COMMITTEE SUBSTITUTE

An Act relating to various health services agencies; making an appropriation to the State Department of Health; stating purpose; specifying certain categories and amounts; requiring the submission of certain financial reports; providing for deposit and expenditure of funds; transferring certain appropriated funds to the Eldercare Revolving Fund; transferring certain appropriated funds to the Child Abuse Prevention Fund; stating legislative intent; directing utilization of certain funds for certain purposes; providing for certain demonstration projects; requiring the preparation and submission of certain reports; specifying contents; transferring certain appropriated funds to the Vaccine Revolving Fund; providing for duties and compensation of employees; limiting the salary of the State Commissioner of Health; providing budgetary limitations; requiring the budget work program to include certain activities or sub-activities; authorizing the expenditure of certain funds relating to wastewater; making appropriations to the Board of Medicolegal Investigations; stating purpose; providing expenditure limitations; providing for duties and compensation of employees; limiting the salary of the Chief Medical Examiner; providing budgetary limitations; making an appropriation to the Department of Mental Health and Substance Abuse Services; stating purpose; providing expenditure limitations; exempting certain federal funds from expenditure and budgetary limitations; requiring certain funds to be included in the budget work program; providing for duties and compensation of employees; limiting the salary of the Commissioner; providing budgetary limitations; authorizing placement of certain employees in the unclassified service; requiring the budget work program to include certain entities and activities; providing lapse date; providing an effective date; and declaring an emergency.

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

STATE DEPARTMENT OF HEALTH

SECTION 1. There is hereby appropriated to the State Department of Health from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1994, the sum of _____ Dollars ($0.00) or so much thereof as may be required to perform the duties imposed upon the State Department of Health by law.

SECTION 2. From the funds appropriated to the State Department of Health in Section 1 of this act, the following categories and amounts shall be expended:

| | |
|---|---|
| Contractual services of the Margaret Hudson Program for School Age Parents | $ 0.00 |
| Contractual services of the Mary Mahoney Memorial Health Center | 0.00 |
| Contractual services of the Southeast Area Health Center | 0.00 |
| Contractual services of the Morton Comprehensive Health Services, Incorporated | 0.00 |
| Contractual services of the Sickle Cell Research Foundation, Incorporated | 0.00 |
| Contractual services of the Emerson Teen Parent Program | 0.00 |
| Contractual services of the Alzheimer's Research Advisory Council | 0.00 |
| Contractual services of the Oklahoma County Chapter of the National Association of Black Social Workers | 0.00 |
| TOTAL | $0.00 |

A quarterly financial report specifying how funds have been expended shall be submitted by each of the above entities as part of all contracts with the State Department of Health.

SECTION 3. The State Department of Health shall transfer the sum of _____ Dollars ($0.00) from the funds appropriated to the State Department of Health in Section 1 of this act to the Eldercare Revolving Fund. A quarterly financial report for the Eldercare Program specifying how funds have been expended shall be submitted to the State Department of Health by each Eldercare contractor.

SECTION 4. The State Department of Health shall transfer the sum of _____ Dollars ($0.00) from the funds appropriated to the State Department of Health in Section 1 of this act to the Child Abuse Prevention Fund, established pursuant to Section 1-227.8 of Title 63 of the Oklahoma Statutes, to be expended in accordance with law.

SECTION 5. It is the intent of the Legislature that of the funds appropriated to the State Department of Health in Section 1 of this act, the amount of _____ Dollars ($0.00) shall be utilized for the provision of perinatal services for low-income women statewide.

Of said amount, _____ Dollars ($0.00) is intended to provide direct services for unserved or underserved counties and to encourage early entry of high-risk clients into the health care system; _____ Dollars ($0.00) is intended to provide for contractual services with the Perinatal Continuing Education Program within the Department of Obstetrics and Gynecology of the University of Oklahoma College of Medicine; and _____ Dollars ($0.00) is intended to provide for a demonstration project with a full complement of prevention and comprehensive perinatal services, including ambulatory care, community organizing and case management, social work and nutrition, public education and follow-up services, which shall be located in a select county with a high teen pregnancy rate.

On or before January 1 of each year, the State Department of Health shall prepare and submit a written report to the Speaker of the House of Representatives and President Pro Tempore of the Senate detailing receipts and expenditures of any local, state and federal funds spent for perinatal services by county as defined

above. It is the intent of the Legislature that perinatal health services shall be defined as prenatal care, postnatal care and infant care up to one (1) year of age. The report shall be more inclusive than time and effort information and shall include a list of contractors, number of clients served, and full-time-equivalent employees for the following categories: Maternity Services, Child Health, immunizations, family planning and WIC.

SECTION 6. The State Department of Health shall transfer the sum of _____ Dollars ($0.00) from the funds appropriated to the State Department of Health in Section 1 of this act to the Vaccine Revolving Fund.

SECTION 7. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Department of Health by law shall be set by the State Commissioner of Health. The salary of the State Commissioner of Health shall not exceed _____ Dollars ($0.00) per annum, payable monthly for the fiscal year ending June 30, 1994. The State Department of Health for the fiscal year ending June 30, 1994, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

| Budgetary Limitation | Amount |
|---|---|
| Full-time-equivalent Employees | 0.0 |
| Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes | $0.00 |
| Professional and Personal Services Contracts | $0.00 |
| Lease-Purchase Agreements | $0.00 |
| Purchase of Equipment | $0.00 |
| Expenditure of Revolving Funds | $0.00 |
| Expenditure of Federal Funds | $0.00 |
| Total Expenditures for Operations | $0.00 |

SECTION 8. Pursuant to the provisions of Section 41.7 of Title 62 of the Oklahoma Statutes, the State Department of Health shall file its budget work program with the Director of State Finance and the Legislative Service Bureau for the fiscal year ending June 30, 1994, to include the following district activities or sub-activities:

Administration

Environmental Health Services

Personal Health Services

AIDS Information and Prevention Program

Special Health Services

Women, Infants and Children Program

Local Health Service

Eldercare Program

Child Abuse Prevention Program

Health Planning

Vaccine Program

Maternal and Child Health Service

Child Guidance Service

Vital Records Division

Air Quality Service

Consumer Protection Service

General Environmental Services

Hazardous Waste Management Service

Occupational Licensing Service

State Environmental Laboratory Service

Water Quality Service

Data Processing

SECTION 9. For the fiscal year ending June 30, 1994, the State Department of Health is authorized to expend from the Wastewater Facility Construction Revolving Loan Account an amount not to exceed _____ Dollars ($0.00) and the Oklahoma Water Resources Board is authorized to expend from the Wastewater Facility Construction Revolving Loan Account an amount not to exceed _____ Dollars ($0.00) for the administration of the

State Wastewater Facility Construction Loan Program pursuant to Section 1085.51 et seq. of Title 82 of the Oklahoma Statutes.

MEDICOLEGAL INVESTIGATIONS

SECTION 10. There is hereby appropriated to the Board of Medicolegal Investigations from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1994, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law.

SECTION 11. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Board of Medicolegal Investigations by law shall be set by the Board. The salary of the Chief Medical Examiner shall not exceed _____ Dollars ($0.00) per annum, payable monthly for the fiscal year ending June 30, 1994. The Board of Medicolegal Investigations for the fiscal year ending June 30, 1994, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

| Budgetary Limitation | Amount |
|---|---|
| Full-time-equivalent Employees | 0.0 |
| Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes $0.00 | |
| Professional and Personal Services Contracts | $0.00 |
| Lease-Purchase Agreements | $0.00 |
| Purchase of Equipment | $0.00 |
| Expenditure of Revolving Funds | $0.00 |
| Expenditure of Federal Funds | $0.00 |
| Total Expenditures for Operations | $0.00 |

DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

SECTION 12. There is hereby appropriated to the Department of Mental Health and Substance Abuse Services from any monies not

otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1994, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Mental Health and Substance Abuse Services by law.

SECTION 13. The funds appropriated to the Department of Mental Health and Substance Abuse Services in Section 12 of this act excluding expenditures for capital and special projects, shall not exceed the following:

| Budget Activity | |
|---|---|
| 1. Central Office Administration | $0.00 |
| 2. State Hospitals, the Oklahoma Youth Center and the State-Operated Crisis Center | $0.00 |
| 3. State-Operated Community Mental Health Centers | $0.00 |
| 4. State-Operated Alcohol and Drug Facilities | $0.00 |
| 5. Private Community Mental Health Centers and Other Community Programs | $0.00 |
| 6. Private Community Alcohol and Drug Programs | $0.00 |
| 7. Domestic Violence Programs | $0.00 |
| 8. Data Processing | $0.00 |

Receipt and expenditure of discretionary federal grant funds, exclusive of block grant funds, awarded after July 1, 1993, shall be exempt from the above expenditure limitations and from budgetary limitations provided for in Section 13 of this act, provided that any such funds used for operations shall be included in the agency's budget work programs.

For the purposes of the limitations on the transfer of funds between accounts specified in Section 41.12 of Title 62 of the

Oklahoma Statutes, said limitations shall relate only to the line items specified in this section, and shall not be construed to be limitations on budgetary subdivisions included in the Department's budget work program.

SECTION 14. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Department of Mental Health and Substance Abuse Services by law shall be set by the Commissioner. The salary of the Commissioner shall not exceed _____ Dollars ($0.00) per annum, payable biweekly for the fiscal year ending June 30, 1994. The Department of Mental Health and Substance Abuse Services for the fiscal year ending June 30, 1994, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, excluding expenditures for capital, intra-agency payments and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

| Budgetary Limitation | Amount |
|---|---|
| Full-time-equivalent Employees | 0.0 |
| Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statute | $0.00 |
| Professional and Personal Services Contracts | $0.00 |
| Lease-Purchase Agreements | $0.00 |
| Purchase of Equipment | $0.00 |
| Expenditure of Revolving Funds | $0.00 |
| Expenditure of Federal Funds | $0.00 |
| Total Expenditures for Operations | $0.00 |

SECTION 15. Full-time-equivalent employees utilized at the Central Office may be placed in the unclassified service. All other employees of the Central Office shall be in the classified service, except as provided in Sections 840.8 and 840.10 of Title 74 of the Oklahoma Statutes.

SECTION 16. Pursuant to the provisions of Section 41.7 of Title 62 of the Oklahoma Statutes, the Department of Mental Health

and Substance Abuse Services shall file its budget work program with the Director of State Finance and the Legislative Service Bureau for the fiscal year ending June 30, 1994, to include the following budgetary entities and activities:

Central Office Administration

Central State Hospital

Eastern State Hospital

Western State Hospital

Oklahoma Youth Center

Norman Alcohol and Drug Treatment Center

Vinita Alcohol and Drug Treatment Center

Fort Supply Alcohol and Drug Treatment Center

Oklahoma City Crisis Center

Carl Albert Community Mental Health Center

Jim Taliaferro Community Mental Health Center

Central Oklahoma Community Mental Health Center

Bill Willis Community Mental Health Center

Northwest Community Mental Health Center

Private Community Mental Health Centers

Private Community Alcohol and Drug Programs

Domestic Violence Programs

Other Community Programs

Data Processing

The budgets for the above activities shall include all direct and indirect costs, except for those included in the Central Office Administration and Data Processing activities, associated with each activity.

SECTION 17. The appropriations made by this act shall be subject to fiscal year limitations and may be encumbered through June 30, 1994. Any unexpended funds remaining after November 15, 1994, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 18. Sections 1 through 19 of this act shall become effective July 1, 1993.

SECTION 19. It being immediately necessary for the preservation of the public peace, health and safety, an emergency

is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

44-1-9536 JB