

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2255

By: Thomas

AS INTRODUCED

An Act relating to public health and safety; amending Section 7, Chapter 330, O.S.L. 1993 (63 O.S. Supp. 1993, Section 3207), which relates to the University Hospitals Authority; adding members to Authority; modifying powers; providing for appointment and terms; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 7, Chapter 330, O.S.L. 1993 (63 O.S. Supp. 1993, Section 3207), is amended to read as follows:

Section 3207. A. There is hereby created the University Hospitals Authority, an agency of the State of Oklahoma, a body corporate and politic, with powers of government and with the authority to exercise the rights, privileges and functions as specified in the University Hospitals Authority Act. The University Hospitals Authority is an agency of the State of Oklahoma covered by the Governmental Tort Claims Act.

B. The Authority shall consist of ~~six (6)~~ nine (9) members as follows:

1. ~~One member~~ Two members shall be appointed by the Governor, with the advice and consent of the Senate;

2. ~~One member~~ Two members shall be appointed by the President Pro Tempore of the Senate;

3. ~~One member~~ Two members shall be appointed by the Speaker of the House of Representatives;

4. One member shall be the Director for Human Services or the director of the successor organization responsible for Medicaid, or his or her designee who shall be an ex officio, nonvoting member;

5. One member shall be the Provost of the University of Oklahoma Health Sciences Center who shall be an ex officio, nonvoting member; and

6. The Chief Executive Officer of the University Hospitals who shall be an ex officio, nonvoting member.

C. 1. All members of the initial Authority shall be appointed by June 1, 1993. Of the members of the Authority initially appointed, the member appointed by the President Pro Tempore of the Senate shall serve a term of one (1) year; the member appointed by the Speaker of the House of Representatives shall serve a term of two (2) years; and the member appointed by the Governor shall serve a term of three (3) years.

2. By June 1, 1994, the three additional members specified by this act shall be appointed. Of the additional members of the Authority first appointed, the member appointed by the President Pro Tempore of the Senate shall serve a term of three (3) years; the member appointed by the Speaker of the House of Representatives shall serve a term of two (2) years; and the member appointed by the Governor shall serve a term of three (3) years.

3. Successors shall be appointed for terms of three (3) years.

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

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

F. The members of the Authority shall serve without compensation but may be reimbursed for all actual and necessary travel expenses incurred in performance of their duties in accordance with the provisions of the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

G. All members of the Authority and administrative personnel of the Authority shall be subject to the provisions of the Oklahoma Ethics Commission Act, Section 4200 et seq. of Title 74 of the Oklahoma Statutes.

H. A quorum of the Authority shall be ~~three (3)~~ seven (7) members. Members shall elect a chair and vice chair for the Authority from among its members. The chair must be an appointed member of the Authority.

I. The Authority shall be subject to the Open Meeting Act, Section 301 et seq. of Title 25 of the Oklahoma Statutes, and the Open Records Act, Section 24A.1 et seq. of Title 51 of the Oklahoma Statutes, except as otherwise provided by this act. Any information submitted to or compiled by the Authority with respect to the marketing plans, financial statements, trade secrets, research concepts, methods or products, or any other proprietary information of 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 Authority.

SECTION 2. 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.

44-2-7948

KSM