

ENGROSSED SENATE
BILL NO. 588

By: Monson of the Senate

and

Toure of the House

An Act relating to public health and safety; amending Section 4, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1994, Section 5006), which relates to Oklahoma Health Care Authority creation, powers, duties and personnel; clarifying statutory references; establishing provisions related to transfers of classified and unclassified employees transferred to the Authority; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 4, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1994, Section 5006), is amended to read as follows:

Section 5006. A. There is hereby created the Oklahoma Health Care Authority. The Authority shall have the power and duty to:

1. Purchase health care benefits for state and education employees and Medicaid recipients, and others who are dependent on the state for necessary medical care, as specifically authorized by law;
2. Develop state and education employee health care plans as authorized by Section ~~9~~ 5011 of this ~~act~~ title;

3. Enter into contracts for the delivery of state-purchased health care and establish standards and criteria which must be met by entities to be eligible to contract with the Authority for the delivery of state-purchased health care;

4. Develop a proposed standard basic health care benefits package or packages to be offered by health services providers, for state and education employees and Medicaid recipients;

5. Study all matters connected with the provision of state-purchased and state-subsidized health care coverage;

6. Develop and submit plans, reports and proposals, provide information and analyze areas of public and private health care interaction pursuant to the provisions of the Oklahoma Health Care Authority Act, Section 5003 et seq. of this title;

7. Serve as a resource for information on state-purchased and state-subsidized health care access, cost containment and related health issues;

8. Administer programs and enforce laws placed under the jurisdiction of the Authority pursuant to the Oklahoma Health Care Authority Act, and such other duties prescribed by law;

9. Collaborate with and assist the Insurance Commissioner in the development of a Uniform Claim Processing System for use by third-party payors and health care providers;

10. Collaborate with and assist the State Department of Health with the development of licensure standards and criteria for pre-paid health plans; and

11. Exercise all incidental powers which are necessary and proper to carry out the purposes of the Oklahoma Health Care Authority Act.

B. 1. All positions within the Authority shall be unclassified until approval of the annual business and personnel plan submitted by January 1, 1995, by the Governor and the Legislature. In the annual business plan submitted January 1, 1995, the Board shall

include a personnel plan which shall list, describe and justify all unclassified positions within the Authority and their compensation. All other employees and positions shall be classified and subject to the provisions of the Merit System of Personnel Administration as provided in the Oklahoma Personnel Act, Section 840-1.1 et seq. of Title 74 of the Oklahoma Statutes.

2. The classified and unclassified employees who transferred from the Department of Human Services to the Authority on January 16, 1995, shall be subject to the following provisions:

- a. classified employees transferred to the Authority shall remain subject to the provisions of the Merit System of Personnel Administration as provided in the Oklahoma Personnel Act. Provided, however, such employees shall be exempt from the provisions of the Oklahoma Personnel Act and the rules of the Merit System of Personnel Administration governing classification and compensation of employees until final approval of the annual business and personnel plan by the Governor and the Legislature. On the effective date of the plan, the employees shall again become subject to all provisions of the Oklahoma Personnel Act and the rules of the Merit System of Personnel Administration which apply to classified employees, including those governing classification and compensation. Such employees shall be granted permanent status in the class to which the position occupied by the employee on that date is allocated by the Office of Personnel Management, regardless of the classified or unclassified status of the position. Any employee who is assigned to a lower classification shall have the same right of appeal as on demotion

pursuant to Section 840-6.5 of Title 74 of the
Oklahoma Statutes,

b. unclassified employees transferred to the Authority
from the Department of Human Services and persons
subsequently employed by the Authority prior to the
approval of the annual business and personnel plan
shall be in the unclassified service and shall serve
at the pleasure of the chief executive officer. Such
employees shall become classified and subject to the
provisions of the Oklahoma Personnel Act and the rules
of the Merit System of Personnel Administration upon
final approval of the annual business and personnel
plan by the Governor and the Legislature, unless the
positions they occupy are listed as unclassified in
the annual business plan or designated as such in the
Oklahoma Statutes, and

c. all employees who are transferred to the Authority
shall retain leave, sick and annual time earned and
any retirement and longevity benefits which have
accrued during their tenure with the agency from which
transferred. The salaries of employees who are
transferred shall not be reduced as a direct and
immediate result of the transfer. The transfer of
personnel among the state agencies shall be
coordinated with the Office of Personnel Management.

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.

Passed the Senate the 21st day of February, 1995.

President of the Senate

Passed the House of Representatives the ____ day of
_____, 1995.

Speaker of the House of
Representatives