

ENGROSSED SENATE
BILL NO. 810

By: Haney and Hobson of the
Senate

and

Hamilton and Steidley of
the House

[various health services agencies - appropriation -
duties and compensation - budgetary limitations -
limiting salary - lapse dates - effective date -
emergency]

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

OKLAHOMA HEALTH CARE AUTHORITY

SECTION 1. There is hereby appropriated to the Oklahoma Health Care Authority from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Health Care Authority by law.

SECTION 2. For the fiscal year ending June 30, 1997, the Oklahoma Health Care Authority shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Operations	\$0.00	\$0.00
Medicaid Payments	0.00	0.00
Medicaid Contracted Services	0.00	0.00
Non-Title XIX Medical	0.00	0.00

Indigent Health Care Grant	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

SECTION 3. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Health Care Authority by law shall be set by the Administrator. The salary of the Administrator shall not exceed One Hundred Twenty Thousand Three Hundred Dollars (\$120,300.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Oklahoma Health Care Authority is authorized to pay professional expenses of the Administrator of the Authority, including dues, licenses, professional memberships, continuing medical education classes conducted in the State of Oklahoma, and medical malpractice insurance. The Oklahoma Health Care Authority is further authorized to pay professional expenses of the Medical Director, including dues, licenses, professional memberships, continuing medical education classes conducted in the State of Oklahoma, and medical malpractice insurance, provided the Medical Director is a full-time employee of the Authority. The Oklahoma Health Care Authority for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	0.0
Full-time-equivalent Attorneys	0.0
Lease-Purchase Agreements	\$0.00

SECTION 4. Receipt and expenditure of unanticipated federal funds awarded after July 1, 1996, shall be exempt from expenditure limitations and from budgetary limitations, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 5. The Oklahoma Health Care Authority is authorized to employ ten (10) full-time-equivalent employees as project indefinite appointments under paragraph 4 of Section 840-5.5 of Title 74 of the Oklahoma Statutes as staffing for a managed Medicaid start-up program. No employment in these positions shall extend beyond the fiscal year ending June 30, 1999. Under such authorization, five of the authorized positions will be abolished by June 30, 1997. The remaining five positions shall be abolished by June 30, 1999. All positions authorized under this section shall be funded under the current match formula.

SECTION 6. The Director of State Finance shall transfer monies appropriated from the General Revenue Fund to the Oklahoma Health Care Authority disbursing funds in the amounts and ratios requested by the Authority except that the cumulative amount transferred shall not exceed the cumulative amount of equal monthly allotments of the appropriation from the General Revenue Fund. Monies appropriated or collected for the fiscal year ending June 30, 1997, may be transferred to these disbursing funds for the fiscal year ending June 30, 1996, to satisfy encumbrances and obligations of said fiscal year; provided, that monies equal in amount are transferred from appropriations or collections for the fiscal year ending June 30, 1996, to the disbursing fund for the fiscal year ending June 30, 1997, to satisfy encumbrances and obligations of said fiscal year. All transfer requests shall be in writing to the Director of State Finance. The Oklahoma Health Care Authority shall maintain record of the inter-year transfers.

SECTION 7. The Director of the Oklahoma Health Care Authority may request through the Director of State Finance the early transfer by the Oklahoma Tax Commission of tax collections to the General Revenue Fund for the purpose of early allocation to the agency's disbursing funds to alleviate cash-flow problems.

STATE DEPARTMENT OF HEALTH

SECTION 8. There is hereby appropriated to the Oklahoma 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, 1997, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma State Department of Health by law.

SECTION 9. For the fiscal year ending June 30, 1997, the State Department of Health shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Support	\$0.00	\$0.00
Family Health	0.00	0.00
Communicable Disease	0.00	0.00
Chronic Disease	0.00	0.00
Local Health	0.00	0.00
Consumer Protection	0.00	0.00
Eldercare	0.00	0.00
Health Promotion and Policy Analysis	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

SECTION 10. 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 Ninety-six Thousand Four Hundred Twenty Dollars (\$96,420.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The State Department of Health for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	0.0

Lease-Purchase Agreements \$0.00

SECTION 11. Receipt and expenditure of unanticipated federal funds awarded after July 1, 1996, shall be exempt from expenditure limitations and from budgetary limitations, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 12. The State Department of Health shall transfer the sum of _____ Dollars (\$0.00) from the funds appropriated in Section 8 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 13. The State Department of Health shall transfer the sum of _____ Dollars (\$0.00) from the funds appropriated in Section 8 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 14. It is the intent of the Legislature that all Health Department media campaigns that exceed Twenty-five Thousand Dollars (\$25,000.00) in budget shall be funded using the Health Department Media Campaign Revolving Fund.

SECTION 15. From the funds appropriated to the State Department of Health in Section 8 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 Community Health	
Centers, Incorporated	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 Konawa	
Community Health Center	0.00
Contractual services of the Sickie 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 Tolliver	
Alternative Care Center, Incorporated	0.00
Contractual services of Dental for the	
Disabled and Elderly in Need of	
Treatment (D-DENT)	<u>0.00</u>
TOTAL	\$0.00

SECTION 16. It is the intent of the Legislature that of the funds appropriated to the State Department of Health in Section 8 of this act, the amount of _____ Dollars (\$0.00) shall be used for providing 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; _____ 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; and _____ Dollars (\$0.00) is to be allocated to the

Department of Family Medicine and Obstetrics and Gynecology within the University of Oklahoma Health Sciences Center to be used to support prenatal, delivery, and anesthesia services for indigent patients.

On or before January 15 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 include employees' time-and-effort reports, 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.

J. D. McCARTY CENTER FOR CHILDREN WITH
DEVELOPMENTAL DISABILITIES

SECTION 17. There is hereby appropriated to the J.D. McCarty Center for Children with Developmental Disabilities from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the J.D. McCarty Center for Children with Developmental Disabilities by law.

SECTION 18. For the fiscal year ending June 30, 1997, the J.D. McCarty Center for Children with Developmental Disabilities shall budget all funds in the following categories and amounts, excluding expenditures for capital and special projects and excluding expenditures from the gifts and bequests fund:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
General Operations	<u>\$0.00</u>	<u>\$0.00</u>

TOTAL \$0.00 \$0.00

SECTION 19. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the J.D. McCarty Center for Children with Developmental Disabilities by law shall be set by the Oklahoma Cerebral Palsy Commission. The salary of the Director shall not exceed Fifty-two Thousand Dollars (\$52,000.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The J.D. McCarty Center for Children with Developmental Disabilities, for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	0.0

DEPARTMENT OF MENTAL HEALTH AND
SUBSTANCE ABUSE SERVICES

SECTION 20. 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, 1997, 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 21. For the fiscal year ending June 30, 1997, the Department of Mental Health and Substance Abuse Services shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Central Administration	\$0.00	\$0.00
Inpatient Hospital	0.00	0.00
Community-based Programs	0.00	0.00
Substance Abuse Programs	0.00	0.00
Domestic Violence Programs	0.00	0.00

Residential Care Programs	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

SECTION 22. 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 Ninety-one Thousand Seven Hundred Twenty-six Dollars (\$91,726.00) per annum, payable biweekly for the fiscal year ending June 30, 1997. The Department of Mental Health and Substance Abuse Services for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	0.0
Lease-Purchase Agreements	\$0.00

SECTION 23. It is the intent of the Legislature that the Department of Mental Health and Substance Abuse Services set aside _____ Dollars (\$0.00) for purchase of clozapine and related blood monitoring costs and medically indicated atypical antipsychotic medications for clients with treatment-resistant schizophrenia. On or before April 1, 1997, the Department of Mental Health and Substance Abuse Services shall prepare and submit a written report to the Speaker of the House of Representatives and the President Pro Tempore of the Senate detailing expenditures for such medications and providing a progress report on each treatment-resistant schizophrenia patient who is a Department of Mental Health and Substance Abuse Services client. The report shall be presented in a manner that does not violate the confidentiality of the patient as established by law. Such medications shall be offered and made available to each institutionalized treatment-resistant schizophrenia patient for whom such medication is medically

indicated. The written discharge plan for each institutionalized treatment-resistant schizophrenic patient shall provide for appropriate case management to be delivered by community mental health centers or such other case management services as may be available to the Department of Mental Health and Substance Abuse Services.

SECTION 24. 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 Section 840-5.5 of Title 74 of the Oklahoma Statutes.

UNIVERSITY HOSPITALS AUTHORITY

SECTION 25. There is hereby appropriated to the University Hospitals Authority from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the University Hospitals Authority by law.

SECTION 26. For the fiscal year ending June 30, 1997, the University Hospitals Authority shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Hospital Operations	<u>\$0.00</u>	<u>\$0.00</u>
TOTAL	\$0.00	\$0.00

SECTION 27. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the University Hospitals Authority by law shall be set by the Authority. The salary of the Chief Executive Officer shall not exceed One Hundred Sixty Thousand Eight Hundred Dollars (\$160,800.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The University Hospitals Authority for the fiscal year ending June 30, 1997, shall be subject to the following

budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees, Excluding	
Medical Residents	0.0
Lease-Purchase Agreements	\$0.00

SECTION 28. The average full-time-equivalent employees limit specified in Section 27 of this act may be increased by up to one hundred fifty (150) full-time-equivalent employees for the purpose of providing staffing for program expansions or increased census at the University Hospitals Authority, provided that such employees shall be funded with hospital-generated revenues.

DEPARTMENT OF VETERANS AFFAIRS

SECTION 29. There is hereby appropriated to the Oklahoma Department of Veterans Affairs from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1997, the sum of _____ Dollars (\$0.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Department of Veterans Affairs by law.

SECTION 30. For the fiscal year ending June 30, 1997, the Oklahoma Department of Veterans Affairs shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Central Administration	\$0.00	\$0.00
Nursing Care	0.00	0.00
George Nigh Rehabilitation		
Institute	0.00	0.00
Claims and Benefits	0.00	0.00
State Accrediting Agency	<u>0.00</u>	<u>0.00</u>
TOTAL	\$0.00	\$0.00

SECTION 31. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed

upon the Oklahoma Department of Veterans Affairs by law shall be set by the War Veterans Commission of Oklahoma. The salary of the Director shall not exceed Sixty Thousand Dollars (\$60,000.00) per annum, payable monthly for the fiscal year ending June 30, 1997. The Oklahoma Department of Veterans Affairs for the fiscal year ending June 30, 1997, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	0.0
Lease-Purchase Agreements	\$0.00

SECTION 32. The appropriation made by Section 29 of this act may be used for the vocational rehabilitation of disabled veterans pursuant to the provisions of Section 68.2 of Title 72 of the Oklahoma Statutes and to aid the destitute minor dependents of disabled, destitute or deceased honorably discharged war veterans. The aid to destitute minor dependents shall be expended by the War Veterans Commission of Oklahoma to maintain, support and educate the minor dependents on a per capita basis of not to exceed Thirteen Dollars (\$13.00) per capita, per day. A minor dependent may continue to receive said aid for a maximum of three (3) years after attaining eighteen (18) years of age if the minor dependent is attending a high school or a school of equivalent level which has been approved by the War Veterans Commission of Oklahoma. For the purposes of this section, "minor dependents" means those minor dependents who have been or whose parents, guardians, or custodians have been or had been at the time of death, citizens of this state for a period of three (3) years.

SECTION 33. The appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97), or may be budgeted for the fiscal year ending June 30, 1998 (hereafter FY-98).

Funds budgeted for FY-97 may be encumbered only through June 30, 1997, and must be expended by November 15, 1997. Any funds remaining after November 15, 1997, and not budgeted for FY-98, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-98 may be encumbered only through June 30, 1998. Any funds remaining after November 15, 1998, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-97, and not required to pay obligations for that fiscal year, may be budgeted for FY-98, after the agency has prepared and submitted a budget work program revision removing these funds from the FY-97 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 34. This act shall become effective July 1, 1996.

SECTION 35. 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 14th day of February, 1996.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1996.

Speaker of the House of Representatives