

ENROLLED HOUSE  
BILL NO. 1746

By: Hamilton and Steidley of  
the House

and

Haney and Hobson of the  
Senate

An Act relating to various health services agencies; making an appropriation to the State Department of Health; stating purposes; requiring certain transfers of certain funds for certain purposes; requiring the submitting of certain report; stating legislative intent; specifying the expenditure of certain funds; requiring certain report; specifying contents of such report; providing for duties and compensation of employees; limiting salary of the State Commissioner of Health; providing budgetary limitations; authorizing the expenditure of previously appropriated funds for certain purpose; making appropriations to the Department of Mental Health and Substance Abuse Services; stating purposes; stating legislative intent; requiring certain reports; specifying contents of such reports; specifying certain written discharge plan for certain institutions; providing for duties and compensation of employees; limiting salary of the Commissioner; providing budgetary limitations; authorizing the expenditure of previously appropriated or reappropriated funds for certain purpose; authorizing certain employees to be placed in unclassified service; requiring certain employees be in the classified service; providing exceptions; providing for duties and compensation of employees of the Department of Veterans Affairs; limiting salary of the Director; providing budgetary limitations; authorizing the expenditure of previously appropriated funds for certain purpose; authorizing certain expenditures relating to veterans and minor dependents of veterans; limiting receipt of certain benefits to minor dependents; defining term; amending Section 88 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature, which relates to funds appropriated to the J.D. McCarty Center for Children with Developmental Disabilities; modifying amount of appropriation; providing for duties and compensation of employees of the J.D. McCarty Center for Children with Developmental Disabilities; limiting salary of the Director; providing budgetary limitations; exempting certain employees from Oklahoma Merit System of Personnel Administration; providing certain exclusions from budgetary limitations; authorizing the expenditure

of previously appropriated funds for certain purpose; making an appropriation to the University Hospitals Authority; stating purposes; providing for duties and compensation of employees; limiting salary of the Chief Executive Officer; providing budgetary limitations; authorizing increase in full-time-equivalent employee limit for certain purposes under certain conditions; specifying funding of such employees; authorizing the expenditure of previously appropriated funds for certain purpose; making appropriations to the Oklahoma Health Care Authority; stating purposes; reappropriating and redesignating certain funds; stating purposes; providing for duties and compensation of employees; limiting salary of the Administrator; authorizing compensation for certain expenses of the Administrator; providing budgetary limitations; exempting certain funds from expenditure and budgetary limitations; authorizing the transfer of certain funds for certain purposes; authorizing the expenditure of previously appropriated funds for certain purpose; requiring the keeping of certain records; authorizing certain requests relating to early transfers; stating purpose; providing lapse dates; and providing an effective date.

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, 1996, the sum of Three Hundred Twenty-four Thousand Three Hundred Eighty-two Dollars (\$324,382.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Health by law.

SECTION 2. The State Department of Health shall transfer the sum of Five Million Two Hundred Fifty-four Thousand Two Hundred Seventy-one Dollars (\$5,254,271.00) from the funds appropriated in Section 85 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature 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 3. The State Department of Health shall transfer the sum of One Million Four Hundred Eighty-one Thousand Two Hundred Twenty-one Dollars (\$1,481,221.00) from the funds appropriated in Section 85 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature, 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 4. 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 5. From the funds appropriated to the State Department of Health in Section 85 of Enrolled House Bill No. 1716 of the 1st

Session of the 45th Oklahoma Legislature, the following categories and amounts shall be expended:

Contractual services of the Margaret Hudson Program for School Age Parents	\$42,977.00
Contractual services of Community Health Centers, Incorporated	172,910.00
Contractual services of the Southeast Area Health Center	172,910.00
Contractual services of the Morton Comprehensive Health Services, Incorporated	311,902.00
Contractual services of the Konawa Community Health Center	125,000.00
Contractual services of the Sickie Cell Research Foundation, Incorporated	104,000.00
Contractual services of the Emerson Teen Parent Program	135,360.00
Contractual services of the Alzheimer's Research Advisory Council	55,475.00
Contractual services of the Tolliver Alternative Care Center, Incorporated	46,599.00
Contractual services of Dental for the Disabled and Elderly in Need of Treatment (D-DENT)	<u>150,000.00</u>
TOTAL	\$1,317,133.00

SECTION 6. It is the intent of the Legislature that of the funds appropriated to the State Department of Health in Section 85 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature, the amount of Three Million One Hundred Two Thousand Three Hundred Thirty-three Dollars (\$3,102,333.00) shall be used for providing perinatal services for low-income women statewide.

Of said amount, Two Million Five Hundred One Thousand Four Hundred Fifty-five Dollars (\$2,501,455.00) 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; Two Hundred Nine Thousand Six Hundred Ninety-seven Dollars (\$209,697.00) 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; Sixty-four Thousand Seventy-five Dollars (\$64,075.00) 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 Three Hundred Twenty-seven Thousand One Hundred Six Dollars (\$327,106.00) 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.

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 Ninety-six Thousand Four Hundred Twenty Dollars (\$96,420.00) per annum, payable monthly for the fiscal year ending June 30, 1996. The State Department of Health for the fiscal year ending June 30, 1996, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, excluding expenditures for capital and special projects and intra-agency transfers, 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	2,081.8
Lease-Purchase Agreements	\$500,000.00

Receipt and expenditure of discretionary federal grant funds awarded after July 1, 1995, shall be exempt from the above expenditure limitations provided that any such funds used for operations shall be included in the agency's budget work programs.

SECTION 8. Funds appropriated to the State Department of Health in Section 68, Chapter 187, O.S.L. 1994, and in Section 1, Chapter 268, O.S.L. 1994 may be budgeted and expended for the fiscal year ending June 30, 1996, and may be budgeted and expended for the general operating expenses of the State Department of Health regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1995.

DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

SECTION 9. 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, 1996, the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) or so much thereof as may be necessary to reimburse residential care facilities for services provided clients with mental illness.

SECTION 10. 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, 1996, the sum of Two Hundred Twenty-five Thousand Dollars (\$225,000.00) or so much thereof as may be necessary to purchase medications necessary for the treatment of clients with mental illness.

SECTION 11. 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, 1996, the sum of Three Hundred Thirty-one Thousand Two Hundred Dollars (\$331,200.00) or so much thereof as may be necessary to maintain Health Care Financing Administration certification of Eastern State Hospital in Vinita.

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, 1996, the sum of Two Hundred Forty-nine Thousand Twenty-six Dollars (\$249,026.00) or so much thereof as may be necessary to fund additional workers' compensation insurance premiums.

SECTION 13. 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, 1996, the sum of Thirty-five Thousand Nine Hundred Ninety-one Dollars (\$35,991.00) or so much thereof as may be necessary to reimburse the Office of State Finance for data processing charges.

SECTION 14. It is the intent of the Legislature that the Department of Mental Health and Substance Abuse Services set aside Six Hundred Fifty Thousand Dollars (\$650,000.00) 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, 1996, 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 15. 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, 1996. The Department of Mental Health and Substance Abuse Services for the fiscal year ending June 30, 1996, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	2,651.0
Lease-Purchase Agreements	\$1,418,249.00

SECTION 16. Funds appropriated or reappropriated to the Department of Mental Health and Substance Abuse Services in Sections 81 and 82, Chapter 187, O.S.L. 1994, and in Section 11, Chapter 268, O.S.L. 1994, and in Section 12, Chapter 268, O.S.L. 1994, may be budgeted and expended for the fiscal year ending June 30, 1996, and may be budgeted and expended for the general operating expenses of the Department of Mental Health and Substance Abuse Services regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1995.

SECTION 17. 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.

#### DEPARTMENT OF VETERANS AFFAIRS

SECTION 18. 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, 1996. The Oklahoma Department of Veterans Affairs for the fiscal year ending June 30, 1996, 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:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	1,438.00
Lease-Purchase Agreements	\$10,000.00

SECTION 19. Funds appropriated to the Department of Veterans Affairs in Sections 83 and 84, Chapter 187, O.S.L. 1994, and in Section 17, Chapter 268, O.S.L. 1994 may be budgeted and expended for the fiscal year ending June 30, 1996, and may be budgeted and expended for the general operating expenses of the Department of Veterans Affairs regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1995.

SECTION 20. The appropriations made by Sections 93 and 94 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature and Section 1 of Enrolled House Bill No. 1750 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 said 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.

J.D. McCARTY CENTER FOR CHILDREN  
WITH DEVELOPMENTAL DISABILITIES

SECTION 21. AMENDATORY Section 88 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature, is amended to read as follows:

Section 88. There is hereby appropriated to the J.D. McCarty Center for ~~Handicapped~~ 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, 1996, the sum of ~~Eight Hundred Fifty-eight Thousand One Hundred Seventy-six Dollars (\$858,176.00)~~ Eight Hundred Fifty-seven Thousand Eight Hundred Twenty-four Dollars (\$857,824.00) or so much thereof as may be necessary to perform the duties imposed upon the J.D. McCarty Center for Handicapped Children by law.

SECTION 22. 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, 1996. Physical therapists, physical therapist assistants, occupational therapists, certified occupational therapist aides, and speech pathologists employed by the J.D. McCarty Center for Children with Developmental Disabilities shall be unclassified and exempt from the rules and procedures of the Oklahoma Merit System of Personnel Administration. The J.D. McCarty Center for Children with Developmental Disabilities, for the fiscal year ending June 30, 1996, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, excluding expenditures for capital and special projects and excluding expenditures from the gifts and bequests fund, 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	116.0

SECTION 23. Funds appropriated to the J.D. McCarty Center for Children with Developmental Disabilities in Sections 78 and 79, Chapter 187, O.S.L. 1994, and in Section 21, Chapter 268, O.S.L. 1994 may be budgeted and expended for the fiscal year ending June 30, 1996, and may be budgeted and expended for the general operating expenses of the J.D. McCarty Center for Children with Developmental Disabilities regardless of the purpose for which the funds were budgeted by the agency for the fiscal year ending June 30, 1995.

#### UNIVERSITY HOSPITALS AUTHORITY

SECTION 24. 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, 1996, the sum of Two Hundred Fifteen Thousand Six Hundred Sixty-nine Dollars (\$215,669.00) or so much thereof as may be necessary to perform the duties imposed upon the University Hospitals Authority by law.

SECTION 25. 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, 1996. The University Hospitals Authority for the fiscal year ending June 30, 1996, shall be subject to the following budgetary limitations on full-time-equivalent employees:

<u>Budgetary Limitation</u>	<u>Amount</u>
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Full-time-equivalent Employees, Excluding Medical Residents  
3,343.5

Lease-Purchase Agreements \$1,900,000.00

SECTION 26. The average full-time-equivalent employees limit specified in Section 25 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.

SECTION 27. From the funds appropriated to the University Hospitals Authority in Section 24 of this act and in Section 101 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature, the amount of Four Hundred Fifteen Thousand One Hundred Dollars (\$415,100.00) shall be expended to support the operation of the Oklahoma Poison Control Center.

#### OKLAHOMA HEALTH CARE AUTHORITY

SECTION 28. 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, 1996, the sum of One Million Nine Hundred Thousand Dollars (\$1,900,000.00) or so much thereof as may be necessary to provide for the state liability associated with changes in the federal financial participation rate as it relates to the matching of federal funds for the Medicaid program.

SECTION 29. 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, 1996, the sum of One Million Eight Hundred Sixty-two Thousand Nine Hundred Eighty Dollars (\$1,862,980.00) or so much thereof as may be necessary to provide for the additional state share cost of Medicaid coverage for eligible children as mandated by the federal Omnibus Budget Reconciliation Act of 1990.

SECTION 30. 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, 1996, the sum of Two Million Seven Hundred Five Thousand Five Hundred Seventy-three Dollars (\$2,705,573.00) or so much thereof as may be necessary to provide for a cost of living adjustment increase in the Medicaid rate paid to hospitals, as mandated by 42 U.S.C., Section 1396a(a) 13(A), also known as the Boren Amendment.

SECTION 31. 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, 1996, the sum of Five Million One Hundred Three Thousand Seven Hundred Sixty-three Dollars (\$5,103,763.00) or so much thereof as may be necessary to provide a cost of living adjustment increase in the Medicaid rate paid to nursing facilities, as mandated by 42 U.S.C., Section 1396a(a) 13(A), also known as the Boren Amendment, and to provide payments to nursing facilities for hospital leave days in conjunction with the settlement agreement of Oklahoma Nursing Home Association v. Demps (1994).

SECTION 32. 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, 1996, the sum of One Million Dollars (\$1,000,000.00) or so much thereof as may be necessary to provide for a 1996 fiscal year inflationary and utilization adjustment to the Vendor Drug Program.

SECTION 33. 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, 1996, the sum of One Hundred Eleven Thousand Seven Hundred Nineteen Dollars (\$111,719.00) or so much thereof as may be necessary to provide for costs associated with the Medicaid Managed Care program.

SECTION 34. REAPPROPRIATION AND REDESIGNATION The amount of Five Hundred Fifty-one Thousand Five Hundred Thirteen Dollars (\$551,513.00) of the amount of Six Hundred Seven Million Three Hundred Thirty Thousand Two Hundred Eighty-eight Dollars (\$607,330,288.00) originally appropriated by Section 70, Chapter 187, O.S.L. 1994, to the Department of Human Services from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, not otherwise appropriated, for the purpose of performing the duties imposed upon the Department of Human Services by law is hereby reappropriated to the Oklahoma Health Care Authority to provide for the additional state share cost of the Medicare Part A & Part B premium, deductible, and coinsurance payment increases for eligible individuals as mandated by the federal Omnibus Budget Reconciliation Act of 1990.

SECTION 35. REAPPROPRIATION AND REDESIGNATION The amount of One Million Four Hundred Eighty-six Thousand One Hundred Twenty-four Dollars (\$1,486,124.00) of the amount of Six Hundred Seven Million Three Hundred Thirty Thousand Two Hundred Eighty-eight Dollars (\$607,330,288.00) originally appropriated by Section 70, Chapter 187, O.S.L. 1994, to the Department of Human Services from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, not otherwise appropriated, for the purpose of performing the duties imposed upon the Department of Human Services by law is hereby reappropriated to the Oklahoma Health Care Authority to provide for costs associated with the Medicaid Managed Care program.

SECTION 36. REAPPROPRIATION AND REDESIGNATION The amount of Two Hundred Thousand Dollars (\$200,000.00) of the amount of Five Million Three Hundred Sixty-six Thousand Seventy-eight Dollars (\$5,366,078.00) originally appropriated by Section 49, Chapter 187, O.S.L. 1994, to the Department of Central Services from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1995, not otherwise appropriated, for the purpose of performing the duties imposed upon the Department of Central Services by law is hereby reappropriated to the Oklahoma Health Care Authority to provide for costs associated with the Managed Medicaid program.

SECTION 37. 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, 1996. 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 for the fiscal year ending June 30, 1996, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures.

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	227.5

SECTION 38. 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 39. Receipt and expenditure of unanticipated federal funds awarded after July 1, 1995, 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 40. 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 agency 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, 1996, may be transferred to these disbursing funds for the fiscal year ending June 30, 1995, 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, 1995, to the disbursing fund for the fiscal year ending June 30, 1996, 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 41. 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.

SECTION 42. The appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 1996 (hereafter FY-96), or may be budgeted for the fiscal year ending June 30, 1997 (hereafter FY-97). Funds budgeted for FY-96 may be encumbered only through June 30, 1996, and must be expended by November 15, 1996. Any funds remaining after November 15, 1996, and not budgeted for FY-97, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-97 may be encumbered only through June 30, 1997. Any funds remaining after November 15, 1997, 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-96, and not required to pay obligations for that fiscal year, may be budgeted for FY-97, after the agency has prepared and submitted a budget work program revision removing these funds from the FY-96 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 43. This act shall become effective September 1, 1995.

Passed the House of Representatives the 18th day of May, 1995.

Speaker of the House of  
Representatives

Passed the Senate the 18th day of May, 1995.

President of the Senate