

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL NO. 244

By: Monson of the Senate  
  
and  
  
Seikel of the House

COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Health Care Authority Act; amending Section 5, Chapter 332, O.S.L. 1993, as last amended by Section 7, Chapter 204, O.S.L. 1995 (63 O.S. Supp. 1996, Section 5007), which relates to the Oklahoma Health Care Authority Board; modifying expiration dates of terms of members; extending terms of offices; providing set date for expiration of terms of office; inserting statutory reference; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 5, Chapter 332, O.S.L. 1993, as last amended by Section 7, Chapter 204, O.S.L. 1995 (63 O.S. Supp. 1996, Section 5007), is amended to read as follows:

Section 5007. A. There is hereby created the Oklahoma Health Care Authority Board. ~~On and after the effective date of this act, as the terms of the initially appointed members expire, the~~ The

Board shall be composed of seven (7) appointed members who shall ~~serve for terms of four (4) years and shall~~ be appointed as follows:

1. Two members shall be appointed by the President Pro Tempore of the Senate;

2. Two members shall be appointed by the Speaker of the House of Representatives; and

3. Three members shall be appointed by the Governor. One of the members appointed by the Governor shall be a consumer who shall have no financial or professional interest in medical care, health care services, health care delivery, health care finance, health insurance or managed health care.

B. Members appointed pursuant to this paragraph, with the exception of the consumer member, shall include persons having experience in medical care, health care services, health care delivery, health care finance, health insurance and managed health care. In making the appointments, the appointing authority shall also give consideration to urban, rural, gender and minority representation.

C. ~~As the Members shall serve seven-year terms of office of members appointed before July 1, 1995, expire, appointments made on or after July 1, 1995, shall be,~~ subject to the following requirements:

1. One member appointed by the Governor shall be a resident of the First Congressional District. The term of office of the member appointed by the Governor serving as of the effective date of this act, shall expire on September 1, 1998;

2. One member appointed by the President Pro Tempore of the Senate shall be a resident of the Second Congressional District. The term of office of the member currently serving in this position as of the effective date of this act, shall expire on September 1, 2000;

3. The term of office of the remaining member currently serving on the Board appointed by the President Pro Tempore shall expire on September 1, 2002. Thereafter, the President Pro Tempore of the Senate shall appoint one member who shall be a resident of the Third Congressional District;

4. One member appointed by the Speaker of the House of Representatives shall be a resident of the Fourth Congressional District. The term of office of the member currently serving in this position as of the effective date of this act, shall expire on September 1, 2004;

5. One member appointed by the Speaker of the House of Representatives shall be a resident of the Fifth Congressional District. The term of office of the member currently serving in this position as of the effective date of this act, shall expire on September 1, 1999;

6. One member appointed by the Governor shall be a resident of the Sixth Congressional District. The term of office of the member currently serving in this position as of the effective date of this act, shall expire on September 1, 2001; and

7. The consumer member appointed by the Governor shall be appointed at large. The term of office of the member currently serving in this position as of the effective date of this act, shall expire on September 1, 2003.

D. As the terms of members appointed pursuant to subsection C of this section expire, the term of office of subsequently appointed members shall expire every seven (7) years on September 1. If, at the time of term expiration, a new member has not been appointed, the existing member shall continue to serve on a month-to-month basis. The subsequently appointed member shall then serve the balance of the seven (7) year term.

~~D. E. On and after the effective date of this act, any~~ Any subsequently appointed ~~administrator~~ Administrator of the Authority

shall be appointed by the Board. The ~~administrator~~ Administrator shall have the training and experience necessary for the administration of the Authority, as determined by the Board, including, but not limited to, prior experience in the administration of managed health care. The ~~administrator~~ Administrator shall serve at the pleasure of the Board.

~~E.~~ F. The Board shall have the power and duty to:

1. Establish the policies of the Oklahoma Health Care Authority;
2. Appoint the Administrator of the Authority;
3. Adopt and promulgate rules as necessary and appropriate to carry out the duties and responsibilities of the Authority. The Board shall be the rulemaking body for the Authority; and
4. Adopt, publish and submit by January 1 of each year to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives appropriate administrative policies and the business plan for that year. All actions governed by ~~said~~ such administrative policies and annual business plan shall be examined annually in an independent audit.

~~F.~~ G. 1. A vacancy in a Board position shall be filled in the same manner as provided in subsection A of this section for the balance of the term of such position.

2. A majority of the members of the Board shall constitute a quorum for the transaction of business and for taking any official action. Official action of the Board must have a favorable vote by a majority of the members present.

3. Members appointed pursuant to subsection A of this section shall serve without compensation but shall be reimbursed for expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act.

~~G.~~ H. The Board and the Authority shall act in accordance with the provisions of the Oklahoma Open Meeting Act, the Oklahoma Open Records Act and the Administrative Procedures Act.

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.

46-1-7175

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