

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 2171

By: Eddins

AS INTRODUCED

An Act relating to the Oklahoma Health Care

Authority; amending Section 3, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5005), which relates to definitions; modifying and adding to definitions; establishing the Oklahoma Health Care Authority; 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; providing for preemptive rules; amending Section 4, Chapter 332, O.S.L. 1993, as amended by Section 6, Chapter 204, O.S.L. 1995 (63 O.S. Supp. 1996, Section 5006), which relates to the powers and duties of the Authority; removing certain provisions related to personnel; amending Section 1, Chapter 177, O.S.L. 1996 (63 O.S. Supp. 1996, Section 5009.1), which relates to the acceptance of federal funds; clarifying certain authority; providing for certain personnel and personnel plan; making certain requirements; amending Section 13, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5015), which relates to reviews of certain health care programs; modifying the listing of programs; amending Section 7, Chapter 332, O.S.L.

1993, as last amended by Section 22, Chapter 1, O.S.L. 1995 (63 O.S. Supp. 1996, Section 5009), which relates to the Oklahoma Medicaid Program; removing expired dates; amending Section 1, Chapter 336, O.S.L. 1993 (56 O.S. Supp. 1996, Section 1010.1), which relates to the Oklahoma Medicaid Healthcare Options Act; clarifying certain reference; 56 O.S. 1991, Section 204.1, which relates to certain vendor drug program; updating terms; amending 56 O.S. 1991, Sections 206 and 207, which relate to certain program for certain women and children; updating terms and clarifying reference; amending Section 1, Chapter 258, O.S.L. 1992 (56 O.S. Supp. 1996, Section 200d), which relates to certain Medicaid contracts; updating terms; amending 56 O.S. 1991, Section 1002, as amended by Section 1, Chapter 306, O.S.L. 1995 (56 O.S. Supp. 1996, Section 1002), which relates to the Oklahoma Medicaid Program Integrity Act; clarifying certain definition; amending Section 12, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5014), Section 2, Chapter 347, O.S.L. 1992, as last amended by Section 1, Chapter 350, O.S.L. 1994 (63 O.S. Supp. 1996, Section 1-116), and Section 4, Chapter 347, O.S.L. 1992 (63 O.S. Supp. 1996, Section 1-118), which relate to the Division of Health Care Information; updating terms; amending Section 9, Chapter 332, O.S.L. 1993, as amended by Section 5, Chapter 282, O.S.L. 1994 (63 O.S. Supp. 1996, Section 5011), which relates to the Employee Benefits Council; updating terms; amending 36 O.S. 1991, Section 6504, as last

amended by Section 5, Chapter 3, O.S.L. 1996 (36 O.S. Supp. 1996, Section 6504), which relates to the Oklahoma Basic Health Benefits Board; discontinuing the Board and transferring duties and responsibilities; amending 56 O.S. 1991, Sections 58 and 59.1, which relate to the Oklahoma Indigent Health Care Act; updating terms; amending 56 O.S. 1991, Section 201, which relates to certain health insurance for certain persons; authorizing the payment of certain premiums and alternatives for providing certain health care; repealing Section 2, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5004), which relates to the Authority; removing certain name of certain Act; repealing Section 6, Chapter 336, O.S.L. 1993, as amended by Section 30, Chapter 268, O.S.L. 1994 (56 O.S. Supp. 1996, Section 1010.6), which relates to the Oklahoma Medicaid Healthcare Options Act; discontinuing certain Task Force; repealing 56 O.S. 1991, Sections 202 and 203, which relate to certain premiums and alternatives for certain health care for certain persons; repealing 56 O.S. 1991, Section 208, which relates to certain program for certain women and children; providing for codification; providing for noncodification; providing for recodification; and providing an effective date.

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

SECTION 1. This act shall be Chapter 3 of Title 63 of the Oklahoma Statutes and shall be entitled "Oklahoma Health Care Authority Act".

SECTION 2. This Chapter shall be composed of six articles:

Article I shall be titled "General Definitions";

Article II shall be titled "Administration of the Oklahoma Health Care Authority";

Article III shall be titled "State Medicaid Program";

Article IV shall be titled "Health Care Information System";

Article V shall be titled "State and Education Employees Health Care Benefits"; and

Article VI shall be titled "Health Benefits for Employed Uninsured and Medically Indigent Persons".

#### ARTICLE I

##### General Definitions

SECTION 3. AMENDATORY Section 3, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5005), is amended to read as follows:

Section 5005. For the purposes of the Oklahoma Health Care Authority Act:

1. "Administrator" means the chief executive officer of the Authority;

2. "Authority" means the Oklahoma Health Care Authority;

3. "Board" means the Oklahoma Health Care Authority Board;

4. "Health services provider" means health insurance carriers, pre-paid health plans, hospitals, physicians and other health care professionals, and other entities who contract with the Authority for the delivery of health care services to state and education employees and persons covered by the state Medicaid program; ~~and~~

5. "Medically indigent" means a person or head of household:

a. (1) with an income less than or equal to the poverty level as designated by the latest decennial

census and insufficient personal resources to provide for needed medical care for himself or his dependents, and

(2) who requires medically necessary hospital or primary health care services for himself or his dependents for which no public or private third-party coverage is available, and

(3) who has made no assignment, transfer, or encumbrance of property for the purpose of establishing eligibility for services pursuant to a state or federal medical program or the Oklahoma Indigent Health Care Act at any time within the last twenty-four (24) months, or

b. with an occurrence of a catastrophic injury or illness to himself or a dependent resulting in noncovered incurred medical debt for hospital services or for physician and drug costs related to a hospital stay which exceed fifty percent (50%) of the gross annual income of a person or head of household. Insurance benefits for the medical debt shall be first exhausted; and

6. "State-purchased health care" or "state-subsidized health care" means medical and health care, pharmaceuticals and medical equipment purchased with or supported by state and federal funds through the Oklahoma Health Care Authority, the Oklahoma Basic Health Benefits Board, the Department of Mental Health and Substance Abuse Services, the Department of Health, the Department of Human Services, the Department of Corrections, the Department of Veterans Affairs, other state agencies administering state-purchased or state-subsidized health care programs, the Oklahoma State Regents, the State Board of Education and local school districts.

aARTICLE II

Administration of the Oklahoma Health Care Authority

SECTION 4. Article I, Administration of the Oklahoma Health Care Authority, shall be composed of five parts:

Part 1 shall be titled "Creation and Purpose of the Oklahoma Health Care Authority";

Part 2 shall be titled "Oklahoma Health Care Authority Board; General Powers and Duties of the Authority";

Part 3 shall be titled "Funds of the Oklahoma Health Care Authority";

Part 4 shall be titled "Officers and Employees";

Part 5 shall be titled "Health Care Planning and Coordination".

PART 1. Creation and Purpose of the Oklahoma  
Health Care Authority

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-2-102 of Title 63, unless there is created a duplication in numbering, reads as follows:

There is hereby created the Oklahoma Health Care Authority. The Oklahoma Health Care Authority shall have the powers, duties and responsibilities as provided by this chapter, and as otherwise provided by state and federal law.

PART 2. Oklahoma Health Care Authority Board;  
General Powers and Duties of the Authority

SECTION 6. 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 Board shall be composed of seven 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 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;

2. One member appointed by the President Pro Tempore of the Senate shall be a resident of the Second Congressional District;

3. One member appointed by the President Pro Tempore of the Senate 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;

5. One member appointed by the Speaker of the House of Representatives shall be a resident of the Fifth Congressional District;

6. One member appointed by the Governor shall be a resident of the Sixth Congressional District; and

7. The consumer member appointed by the Governor shall be appointed at large.

D. On and after the effective date of this act, any subsequently appointed administrator of the Authority shall be appointed by the Board. The 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 shall serve at the pleasure of the Board.

E. 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, including preemptive rules pursuant to Section 250.6 of Title 75 of the Oklahoma Statutes, 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 administrative policies and annual business plan shall be examined annually in an independent audit.

F. 1. A vacancy in a position shall be filled in the same manner as provided in subsection A of this section.

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. 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 7. AMENDATORY Section 4, Chapter 332, O.S.L. 1993, as amended by Section 6, Chapter 204, O.S.L. 1995 (63 O.S. Supp. 1996, Section 5006), is amended to read as follows:

Section 5006. ~~A. There is hereby created the~~ 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 5011 of this 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;

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. 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.~~

### PART 3. Funds of the Oklahoma Health Care Authority

SECTION 8. AMENDATORY Section 1, Chapter 177, O.S.L. 1996 (63 O.S. Supp. 1996, Section 5009.1), is amended to read as follows:

Section 5009.1 A. 1. The Oklahoma Health Care Authority ~~may~~ shall have the authority to accept grants from the federal government of monies or services for the purpose of augmenting any assistance program or other program within the jurisdiction of the

Authority or to reimburse the state for any such assistance payments.

2. The Authority shall comply with the requirements of any federal agency governing the federal grants in any manner not inconsistent with the Constitution and laws of this state.

B. The Authority may make apportionments in advance of funds under its control, in accordance with the requirements of the federal government, when such funds are to be matched in whole or in part by federal funds; provided, the provisions of this subsection shall not authorize the Authority to make apportionments in advance of such funds in violation of any constitutional or statutory restrictions or provisions.

#### PART 4. Officers and Employees

SECTION 9. NEW LAW A new law to be codified in the Oklahoma Statutes as Section 3-2-401 of Title 63, unless there is created a duplication in numbering, reads as follows:

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.

#### PART 5. Health Care Planning and Coordination

SECTION 10. AMENDATORY Section 13, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5015), is amended to read as follows:

Section 5015. The Oklahoma Health Care Authority shall review state-purchased and state-subsidized health care programs and regulatory agencies, including but not limited to medical services

within the Department of Mental Health and Substance Abuse Services, the Department of Veterans Affairs, the Department of Human Services, the State Department of Health, the Oklahoma Medical Center, the State Education and Employees Group Insurance Board, ~~the Oklahoma Basic Health Benefits Board~~, and any other state-purchased and state-subsidized health care programs as deemed appropriate by the administrator, and submit to the Legislature, no later than December 1, 1995, an initial report including, but not limited to:

1. A description of the respective roles of these programs and agencies regarding health care cost containment;
2. A plan to increase the combined efficiency of these programs and agencies to control costs and maintain or improve access to quality care;
3. Methods to ensure coordination between these programs and agencies and the Authority;
4. An analysis of the real and potential impacts of cost shifting; and
5. Recommendations regarding structural changes in the state's current health care delivery system.

### ARTICLE III

#### State Medicaid Program

SECTION 11. Article III of this Chapter, the State Medicaid Program, shall be composed of five parts:

Part 1 shall be titled "Administration;"

Part 2 shall be titled "Oklahoma Medicaid Healthcare Options Act";

Part 3 shall be titled "Pharmaceuticals and Medical Supplies";

Part 4 shall be titled "Miscellaneous Provisions"; and

Part 5 shall be titled "Oklahoma Medicaid Program Integrity Act".

#### PART 1. Administration

SECTION 12. AMENDATORY Section 7, Chapter 332, O.S.L. 1993, as last amended by Section 22, Chapter 1, O.S.L. 1995 (63 O.S. Supp. 1996, Section 5009), is amended to read as follows:

Section 5009. A. ~~On and after July 1, 1993, the~~ The Oklahoma Health Care Authority shall be the state entity designated by law to assume the responsibilities for the preparation and development for converting the present delivery of the Oklahoma Medicaid Program to a managed care system. The system shall emphasize:

1. Managed care principles, including a capitated, prepaid system with either full or partial capitation, provided that highest priority shall be given to development of prepaid capitated health plans;

2. Use of primary care physicians to establish the appropriate type of medical care a Medicaid recipient should receive; and

3. Preventative care.

The Authority shall also study the feasibility of allowing a private entity to administer all or part of the managed care system.

B. On and after January 1, 1995, the Authority shall be the designated state agency for the administration of the Oklahoma Medicaid Program.

1. The Authority shall contract with the Department of Human Services for the determination of Medicaid eligibility and other administrative or operational functions related to the Oklahoma Medicaid Program as necessary and appropriate.

2. To the extent possible and appropriate, upon the transfer of the administration of the Oklahoma Medicaid Program, the Authority shall employ the personnel of the Medical Services Division of the Department of Human Services.

3. The Department of Human Services and the Authority shall jointly prepare a transition plan for the transfer of the administration of the Oklahoma Medicaid Program to the Authority. The transition plan shall include provisions for the retraining and

reassignment of employees of the Department of Human Services affected by said transfer. The transition plan shall be submitted to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives on or before January 1, 1995.

PART 2. Oklahoma Medicaid Healthcare Options Act

SECTION 13. AMENDATORY Section 1, Chapter 336, O.S.L. 1993 (56 O.S. Supp. 1996, Section 1010.1), is amended to read as follows:

Section 1010.1 A. ~~Sections 1 through 7 of this act~~ 3-3-201 through 3-3-206 of this title shall be known and may be cited as the "Oklahoma Medicaid Healthcare Options Act".

B. In order to establish a coordinated approach to delivering and monitoring health care services and to ensure an efficient and appropriate level of quality health care services to eligible persons requiring such services, it is the purpose of the Oklahoma Medicaid Healthcare Options Act to establish a statewide managed care system of comprehensive health care delivery through the Oklahoma Medicaid Program including, but not limited to, prepaid capitated plans and primary case management plans, which shall be offered to all geographic areas of the state.

PART 3. Pharmaceuticals and Medical Supplies

SECTION 14. AMENDATORY 56 O.S. 1991, Section 204.1, is amended to read as follows:

Section 204.1 ~~The Department of Human Services~~ Oklahoma Health Care Authority is authorized and directed to expand the vendor drug program in the categories of the Aged, Blind and Disabled, and to include those medically needy individuals suffering from catastrophic illnesses who meet requirements for medical assistance, to be administered to the fullest extent possible in conjunction with and subject to existing federal programs so as to earn the maximum of federal financial participation.

PART 4. Miscellaneous Provisions

SECTION 15. AMENDATORY 56 O.S. 1991, Section 206, is amended to read as follows:

A. For the reduction of infant mortality and incidence of low birthweight, the ~~Commission for Human Services~~ Oklahoma Health Care Authority is hereby authorized and directed, subject to availability of funds, to include as part of its Medicaid program an optional categorically needy group who meet the income and resource limitations and are:

1. Pregnant women;
2. Postpartum women, provided such group shall only be included in such program for the sixty-day period after parturition; and
3. Infants under one (1) year of age.

B. Eligibility criteria for the optional categorically needy program established by subsection A of this section shall be determined by rules ~~and regulations~~ promulgated by the ~~Commission for Human Services~~ Oklahoma Health Care Authority Board subject to the following requirements:

1. The income level for eligibility shall be set at one hundred percent (100%) of the nonfarm income official poverty line, as defined by the Office of Management and Budget, and revised annually in accordance with Section 673(2) of the Omnibus Budget Reconciliation Act of 1981, applicable to a family of the size involved.

A woman described by subsection A of this section shall continue to be treated as eligible without regard to any change in income of the family of which she is a member until the end of the sixty-day period beginning on the last day of her pregnancy.

Family income shall be determined in accordance with the methodology employed under the state plan pursuant to Part A or E of Title IV of the federal Social Security Act. Costs incurred for

medical care or for any other type of remedial care shall not be included in eligibility determination.

An infant described by subsection A of this section who is receiving inpatient services for which medical assistance is provided on the date the infant attains the maximum age with respect to which coverage is provided under the Medicaid State Plan for such individuals shall continue to be treated as eligible until the end of the stay for which inpatient services are furnished.

2. The resource level for eligibility for pregnant women and postpartum women may be eliminated or may be set by the ~~Commission for Human Services~~ Board, provided that it is no more restrictive than the level set under Title XVI of the uncodified federal Social Security Act.

3. The resource level for eligibility for an infant under one (1) year of age may be eliminated or may be set by the ~~Commission Board~~, provided that it is no more restrictive than the resource level set for the Oklahoma aid to families with dependent children program.

C. The one-year-of-age limitation established for program eligibility pursuant to the provisions of this act may be extended by the Board to children who have attained the age of one (1) year through the age of four (4) years so as to be consistent with federal law.

D. The Commission for Human Services shall, by rules and regulations, establish the amount, scope and duration of medical services provided to the optional categorically needy group established by subsection A of this section. Medical services to pregnant women pursuant to subsection A of this section shall include services and assistance for services related to pregnancy, delivery, and prenatal and postpartum care and to other conditions which may complicate pregnancy. Notwithstanding any other provision of this act, reimbursement of or payment for medical services

provided through the optional categorically needy group established by subsection A of this section shall not include induced abortion, diagnostic procedures done for the purpose of inducing an abortion, or other procedures related to induced abortion unless the physician certifies in written form that the mother's life is in danger if the fetus is carried to term.

SECTION 16. AMENDATORY 56 O.S. 1991, Section 207, is amended to read as follows:

Section 207. It is the intent of the Legislature that the program ~~created by Section 1~~ provided for by Section 14 of this act receive federal financial participation. The ~~Commission for Human Services~~ Oklahoma Health Care Authority Board is therefore directed to promulgate rules ~~and regulations~~, and to do all things necessary to comply with federal law and regulations to ensure the receipt of federal funds.

SECTION 17. AMENDATORY Section 1, Chapter 258, O.S.L. 1992 (56 O.S. Supp. 1996, Section 200d), is amended to read as follows:

Section 200d. A. Every contract pursuant to the State Medicaid Plan entered into between the ~~Department of Human Services~~ Oklahoma Health Care Authority and facilities that provide inpatient or residential mental health services to persons eighteen (18) years of age or younger who are or may be eligible for assistance through Title XIX of the federal Social Security Act shall incorporate terms and conditions for the care, treatment and services to be provided.

B. Said terms and conditions shall be substantially the same as those included in placement agreements for acute or freestanding, as appropriate for the facility, psychiatric care for children and youth who are in the legal custody of the Department of Human Services and shall include, but not be limited to:

1. Primary care, treatment and counseling services;
2. Educational services;

3. Face-to-face visitation by the attending physician, treatment plans, discharge planning, reports on the progress of the child and other reports as necessary and appropriate;

4. Use of medications;

5. Communicable diseases;

6. Visitation and correspondence;

7. Use of restraints, seclusion, physical force and disciplinary measures; and

8. Inspections and reviews of the care, treatment and services provided.

C. The ~~Department~~ Authority shall immediately initiate procedures for the termination of said contract when:

1. A contracting facility continually violates the terms and conditions required by this section; or

2. The conditions within the facility pose serious harm or a threat of serious harm to patients or residents who are eighteen (18) years of age or under and have been admitted for the purpose of mental health or chemical dependency treatment.

D. The ~~Department~~ Authority shall coordinate with the State Department of Health and any other applicable licensing or certifying agency to ensure that, whenever possible and practicable, annual inspections of hospitals, related institutions and child care facilities required by state or federal law shall be conducted jointly.

#### PART 5. Oklahoma Medicaid Program Integrity Act

SECTION 18. AMENDATORY 56 O.S. 1991, Section 1002, as amended by Section 1, Chapter 306, O.S.L. 1995 (56 O.S. Supp. 1996, Section 1002), is amended to read as follows:

Section 1002. As used in the Oklahoma Medicaid Program Integrity Act:

1. "Authority" means the Oklahoma Health Care Authority;

2. "Attorney General" means the Attorney General of this state, his employees or his authorized representatives;

3. "Claim" means a communication, including written, electronic, or magnetic, which is utilized to identify a good, item, or service as reimbursable pursuant to the Oklahoma Medicaid Program, or which states income or expense and is or may be used to determine a rate of payment pursuant to the Oklahoma Medicaid Program; and any application for payment by any person from the Oklahoma Medicaid Program or its fiscal agents for each good or service purported by any person to have been provided by any person to any Medicaid recipient;

4. "Fiscal agents" means any individual, firm, corporation, professional association, partnership, organization, or other legal entity which, through a contractual relationship with the Oklahoma Health Care Authority and, thereby, the State of Oklahoma, receives, processes, and pays claims under the Oklahoma Medicaid Program;

5. "Kickback" means a return in any form by any individual, company, corporation, partnership, or association of a part of an expenditure made by a provider:

- a. to the same provider,
- b. to an entity controlled by the provider or,
- c. to an entity which the provider intends to benefit whenever such expenditure is reimbursed, or reimbursable, or claimed by a provider as being reimbursable by the Oklahoma Medicaid Program and when the sum or value returned is not credited to the benefit of the Oklahoma Medicaid Program;

6. "Medicaid recipient" means any individual in whose behalf any person claimed or received any payment or payments from the Oklahoma Medicaid Program or its fiscal agents, whether or not any such individual was eligible for benefits under the Oklahoma Medicaid Program at the time the services were provided;

7. "Oklahoma Medicaid Program" means the state program administered by the Oklahoma Health Care Authority pursuant to Title XIX of the federal Social Security Act, which provides for payments for medical goods or services on behalf of indigent families with dependent children and of aged, blind, or disabled individuals whose income and resources are insufficient to meet the cost of necessary medical services;

8. "Person" means any Medicaid provider of goods or services or any employee of such provider, whether that provider is an individual, individual medical vendor, firm, corporation, professional association, partnership, organization, or other legal entity under the Oklahoma Medicaid Program, or any individual, individual medical vendor, firm, corporation, professional association, partnership, organization, other legal entity, or any employee of such who is not a provider under the Oklahoma Medicaid Program but who provides goods or services to a provider under the Oklahoma Medicaid Program for which the provider submits claims to the Oklahoma Medicaid Program or its fiscal agents;

9. "Provider" means any person who has applied to participate or who participates in the Oklahoma Medicaid Program as a supplier of a good or a service;

10. "Records" means all medical, professional, or business records or documents relating to the treatment or care of any recipient, or to a good or a service provided to any such recipient, or to rates or amounts paid or claimed for such a good or a service including but not limited to records of non-Medicaid goods or services to verify rates or amounts; and any records required to be kept by the Oklahoma Health Care Authority to be kept by any person; and

11. "Sign" means to affix a signature directly or indirectly by means of handwriting, typewriter, signature stamp, computer impulse, or other means recognized by Oklahoma Law.

ARTICLE IV

Health Care Information System

SECTION 19. Article IV of this Chapter, Health Care Information System, shall be composed of two parts:

Part 1 shall be titled "Administration"; and

Part 2 shall be titled "Oklahoma Health Care Information System Act".

PART 1. Administration

SECTION 20. AMENDATORY Section 12, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5014), is amended to read as follows:

Section 5014. A. ~~On and after July 1, 1994, the~~ The Oklahoma Health Care Authority shall ~~assume the duties, powers and responsibilities~~ be responsible for the administration of the Division of Health Care Information ~~of the State Department of Health~~ and enforcement of the Oklahoma Health Care Information System Act.

B. The following state agencies are directed to cooperate with the Oklahoma Health Care Authority to establish appropriate health care information systems in their programs. The State Department of Health, the Department of Mental Health and Substance Abuse Services, the Department of Human Services, the Office of the Insurance Commissioner, the State Insurance Fund, the Oklahoma Basic Health Benefits Board, the Department of Veterans Affairs, the Physicians Manpower Training Commission, the Department of Corrections, the State Board of Education and the Oklahoma State Regents.

The Authority, in conjunction with these agencies, shall determine:

1. Descriptions of health care services for information purposes;
2. Health care data elements common to all agencies;

3. Health care data elements unique to each agency; and
4. A mechanism for program and budget review of health care data.

PART 2. Oklahoma Healthcare Information System Act

SECTION 21. AMENDATORY Section 2, Chapter 347, O.S.L. 1992, as last amended by Section 1, Chapter 350, O.S.L. 1994 (63 O.S. Supp. 1996, Section 1-116), is amended to read as follows:

Section 1-116. When used in the Oklahoma Health Care Information System Act, ~~Section 1-115 et seq. of this title:~~

1. "Authority" means the Oklahoma Health Care Authority;
2. "Board" means the ~~State Board of Health~~ Oklahoma Health Care Authority Board;
3. "Commissioner" means the State Commissioner of Health;
4. "Department" means the State Department of Health;
5. "Health care providers" means a hospital or related institution licensed pursuant to Section 1-702 of Title 63 of the Oklahoma Statutes, nursing facilities licensed pursuant to Section 1-1903 of Title 63 of the Oklahoma Statutes, doctors as defined in Section 725.2 of Title 59 of the Oklahoma Statutes, physical therapists, physician assistants, pharmacists, nurses and home health care providers licensed pursuant to the laws of this state;
6. "Third-party payor" means any entity, other than a purchaser, which is responsible for payment either to the purchaser or the health care provider for health care services rendered by the health care provider;
7. "Public-supported provider" means any public or private entity supported in whole or in part by federal or state funds, or any health care provider contracting with the state for providing health care services including, but not limited to, Medicaid;
8. "Identifying information" means a program identifying number assigned for purposes of statistical and data analysis, which protects and maintains patient and physician anonymity. Identifying

information shall remain confidential as provided in Section 1-120 of this title;

9. "Information providers" means and includes health care providers, third-party payors or public-supported providers required to report or submit information to the Division of Health Care Information pursuant to the Oklahoma Health Care Information System Act;

10. "Division" means the Division of Health Care Information; and

11. "Health care information system" means the system for receipt, collection, analysis, evaluation, processing, utilization and dissemination of health care data established and maintained by the Division of Health Care Information pursuant to the Oklahoma Health Care Information System Act.

SECTION 22. AMENDATORY Section 4, Chapter 347, O.S.L. 1992 (63 O.S. Supp. 1996, Section 1-118), is amended to read as follows:

Section 1-118. A. The Division of Health Care Information is hereby created within the ~~State Department of Health. Effective July 1, 1994, the Division, and all employees, property, records, obligations and encumbrances of the Division shall be transferred to~~ the Oklahoma Health Care Authority.

B. The Division shall:

1. Collect health care information from information providers;

2. Establish and maintain a uniform health care information system;

3. Analyze health care data submitted;

4. Provide for dissemination of health care data to users and consumers;

5. Provide for the training and education of information providers regarding processing and maintenance and methods of reporting required information;

6. Require that health care data be submitted to the Division or its agent by all information providers;

7. Provide for the exchange of information with other agencies or political subdivisions of this state, the federal government or other states, or agencies thereof;

8. Contract with other public or private entities for the purpose of collecting, processing or disseminating health care data; and

9. Build and maintain the data base.

C. 1. The ~~State Board of Health~~ Oklahoma Health Care Authority Board shall adopt rules governing the acquisition, compilation and dissemination of all data collected pursuant to the Oklahoma Health Care Information System Act. ~~The rules adopted by the State Board of Health shall remain in effect until the promulgation of new rules by the Authority.~~

2. The rules shall include, but not be limited to:

- a. adequate measures to provide system security for all data and information acquired pursuant to the Oklahoma Health Care Information System Act,
- b. adequate procedures to ensure confidentiality of patient records,
- c. charges for users for the cost of data preparation for information that is beyond the routine data disseminated by the office, and
- d. time limits for the submission of data by information providers.

D. The Division shall adopt standard nationally recognized coding systems to ensure quality in receiving and processing data.

E. The Division may contract with an organization for the purpose of data analysis. Any contract or renewal thereof shall be based on the need for, and the feasibility, cost and performance of,

services provided by the organization. The Division shall require any data analyzer at a minimum to:

1. Analyze the information; and

2. Prepare policy-related and other analytical reports as determined necessary for purposes of this act.

F. The Board, ~~until July 1, 1994,~~ and the Authority beginning ~~July 1, 1994,~~ shall have the authority to set fees and charges with regard to the collection and compilation of data requested for special reports, and for the dissemination of data. These funds, if collected pursuant to the authority of the Board, shall be deposited in the Oklahoma Health Care Information System Revolving Fund account. These funds, if collected pursuant to the authority of the Oklahoma Health Care Authority, shall be deposited in the Oklahoma Health Care Authority Revolving Fund.

G. The Division may accept grants or charitable contributions for use in carrying out the functions set forth in the Oklahoma Health Care Information System Act from any source. These funds shall be deposited in the Oklahoma Health Care Information System Revolving Fund account until June 30, 1994, and beginning July 1, 1994, shall be deposited in the Oklahoma Health Care Authority Revolving Fund.

#### ARTICLE V

##### State and Education Employees Health Care Benefits

SECTION 23. AMENDATORY Section 9, Chapter 332, O.S.L. 1993, as amended by Section 5, Chapter 282, O.S.L. 1994 (63 O.S. Supp. 1996, Section 5011), is amended to read as follows:

Section 5011. A. ~~Effective July 1, 1994,~~ the The duties, powers and responsibilities of the Oklahoma State Employees Benefits Council that relate to the purchase of health care benefits shall be made under the direction and with the approval of the Oklahoma Health Care Authority.

B. The Authority shall develop state and education employee health care benefit plans as provided by this section. In developing these plans, the Authority shall consider the following elements:

1. Methods of maximizing cost containment while ensuring access to quality health care;

2. Development of provider arrangements that encourage cost containment and ensure access to quality care, including, but not limited to, prepaid delivery systems and prospective payment methods;

3. Utilization review procedures including, but not limited to:

- a. prior authorization of services,
- b. hospital inpatient length of stay reviews,
- c. requirements for use of outpatient surgeries,
- d. requirements for second opinions for surgeries,
- e. review of invoices or claims submitted by health services providers, and
- f. performance audits of providers; and

4. Effective coordination of health care benefits.

C. Effective January, 1996, and each January thereafter, the administrator of the Oklahoma Health Care Authority shall publish and distribute to each school district in this state that so requests a description of health care benefit plans available through the Oklahoma Health Care Authority and the estimated cost of such plans if school district employees were enrolled.

D. The Authority shall:

1. Require utilization review and financial data review from participating entities which contract with the Authority for state-purchased and state-subsidized health care on a quarterly basis;

2. Centralize enrollment files for all persons covered by state-purchased and state-subsidized health care benefit plans;

3. Develop enrollment demographics on a plan-specific basis;  
and

4. Establish methods for collecting, analyzing, and disseminating information on the cost and quality of services rendered by health care providers to all persons covered by such plans.

E. The administrator may require that any entity that contracts for the delivery of services pursuant to a state-purchased or state-subsidized health care benefit plan administered by the Authority shall provide to said administrator all information deemed necessary to fulfill the administrator's duties as set forth in the Oklahoma Health Care Authority Act, Section 5003 et seq. of this title. All data related to claims and produced pursuant to the Oklahoma Health Care Authority Act shall be the property of this state.

F. Any savings realized pursuant to this section and Section 5009 of this title shall not be used to increase benefits unless such use is authorized by law.

~~G. On and after July 1, 1995, the Oklahoma Basic Health Benefits Board shall receive any funds appropriated for operations or duties imposed by law upon the Oklahoma Basic Health Benefits Board from the Oklahoma Health Care Authority.~~

#### ARTICLE VI

##### Health Benefits for Employed Uninsured and Medically Indigent Persons

SECTION 24. Article VI of this Chapter, "Health Benefits for Employed Uninsured and Medically Indigent Persons", shall be composed of three parts:

Part 1 shall be titled "Health Insurance Opportunities for Employed Uninsured Oklahomans Act";

Part 2 shall be titled "Oklahoma Indigent Health Care Act"; and

Part 3 shall be titled "Eligible Uninsured Persons".

PART 1. Health Insurance Opportunities for

Employed Uninsured Oklahomans Act

SECTION 25. AMENDATORY 36 O.S. 1991, Section 6504, as last amended by Section 5, Chapter 3, O.S.L. 1996 (36 O.S. Supp. 1996, Section 6504), is amended to read as follows:

Section 6504. A. ~~There is hereby created the Oklahoma Basic Health Benefits Board, to continue until July 1, 1996, in accordance with the provisions of the Oklahoma Sunset Law. The Board shall determine and approve the terms and conditions of a state-certified, basic health benefits plan and provide for the promotion and administration of the plan in accordance with the provisions of Section 6501 et seq. of this title.~~

B. ~~The Board shall be composed of eleven (11) members who shall be appointed as follows:~~

~~1. One member shall be appointed by the President Pro Tempore of the Senate from an employer or business organization;~~

~~2. One member shall be appointed by the Speaker of the House of Representatives from an organization representing employees who lack health insurance; and~~

~~3. Nine members shall be appointed by the Governor, subject to confirmation by the Senate, one of whom shall be appointed from each of the following categories:~~

~~a. a physician licensed to practice medicine in this state pursuant to the provisions of Section 481 et seq. of Title 59 of the Oklahoma Statutes and included on a list of nominees provided by the Oklahoma State Medical Association,~~

~~b. an osteopathic physician licensed to practice osteopathic medicine in this state and included on a list of nominees provided by the Oklahoma Osteopathic Association,~~

~~c. a chiropractic physician licensed to practice chiropractic in this state and included on a list of~~

~~nominees provided by the Oklahoma State Chiropractic Association,~~

- ~~d. a physical therapist licensed to practice in this state pursuant to the provisions of Section 887.1 et seq. of Title 59 of the Oklahoma Statutes and included on a list of nominees provided by the Oklahoma Chapter of the American Physical Therapy Association,~~
- ~~e. a hospital administrator or a member of a hospital governing board included on a list of nominees submitted by the Oklahoma Hospital Association,~~
- ~~f. a state official with responsibilities for delivery of health services,~~
- ~~g. a state official with responsibilities for administration of purchasing functions,~~
- ~~h. a person who has professional training and experience in health insurance, and~~
- ~~i. a person who is licensed to practice law or as a public accountant or a certified public accountant in this state and has experience in fund management.~~

~~C. Members of the Board shall serve three-year terms and until their respective successors are appointed and qualified. Provided, of those members initially appointed by the Governor, three members shall serve for one (1) year, three members shall serve for two (2) years and three members shall serve for three (3) years, as designated by the Governor. A vacancy in a position on the Board shall be filled for the unexpired term in the same manner as the original appointment.~~

~~D. At the first meeting and annually thereafter, the Board shall elect a chair, who shall preside over the meetings of the Board and perform such other duties as required by the Board; a vice-chair, who shall perform the duties of the chair in the absence of the latter or upon the chair's inability or refusal to act; and a~~

~~secretary, who shall keep minutes of all meetings and who shall certify to actions of the Board. The Board shall hold regular meetings at least once each quarter and may hold special meetings upon written notice of the chair or by agreement of any five members of the Board.~~

~~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. No Board member shall be individually or personally liable for any action of the Board. The Board shall adopt rules and procedures to effectuate its purpose.~~

~~The Board shall act in accordance with the provisions of the Oklahoma Open Meeting Act, Section 301 et seq. of Title 25 of the Oklahoma Statutes, the Oklahoma Open Records Act, Section 24A.1 et seq. of Title 51 of the Oklahoma Statutes, and the Administrative Procedures Act, Section 250 et seq. of Title 75 of the Oklahoma Statutes.~~

~~E.~~ On and after the effective date of this act, the powers, duties and responsibilities of the Basic Health Benefits Board shall be assumed by the Oklahoma Health Care Authority. The Board shall hire an Administrator who shall be in the unclassified service. The Administrator shall have supervisory, managerial or administrative health insurance experience in insurance underwriting, safety or loss prevention, claims management or claims adjustment. The Administrator shall act at the direction of and provide staff support to the Board. Office space and logistical support required by the Board shall be provided by the Department of Central Services. The Attorney General shall provide the Board with legal advice and with assistance in drafting rules of the Board.

~~F.~~ B. Members of the Board 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, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

~~G. C.~~ Beginning July 1, 1995, the Basic Health Benefits Board shall not develop or approve any new state-certified, basic health benefits plan or plans. A state-certified, basic health benefits plan which has been developed or approved by the Board may only be offered, issued or renewed on or after July 1, 1995, to employers covered under any state-certified, basic health benefits plan prior to July 1, 1995, provided there has not been nor will be a lapse in coverage.

D. On and after July 1, 1995, the Oklahoma Basic Health Benefits Board shall receive any funds appropriated for operations or duties imposed by law upon the Oklahoma Basic Health Benefits Board from the Oklahoma Health Care Authority.

PART 2. Oklahoma Indigent Health Care Act

SECTION 26. AMENDATORY 56 O.S. 1991, Section 58, is amended to read as follows:

Section 58. As used in the Oklahoma Indigent Health Care Act:

1. ~~"Department"~~ "Authority" means the ~~Department of Human Services~~ Oklahoma Health Care Authority;
2. ~~"Indigent" or "medically"~~ "Medically indigent" means a person or head of household:
  - a. (1) with an income less than or equal to the poverty level as designated by the latest decennial census and insufficient personal resources to provide for needed medical care for himself or his dependents, and
  - (2) who requires medically necessary hospital or primary health care services for himself or his dependents for which no public or private third-party coverage is available, and

(3) who has made no assignment, transfer, or encumbrance of property for the purpose of establishing eligibility for services pursuant to a state or federal medical program or the Oklahoma Indigent Health Care Act at any time within the last twenty-four (24) months, or

b. with an occurrence of a catastrophic injury or illness to himself or a dependent resulting in noncovered incurred medical debt for hospital services or for physician and drug costs related to a hospital stay which exceed fifty percent (50%) of the gross annual income of a person or head of household. Insurance benefits for the medical debt shall be first exhausted;

3. "Hospital" means "hospital" as that term is defined in Section 1-701 of Title 63 of the Oklahoma Statutes;

4. "Clinic" means a health care facility separate from a hospital which provides outpatient medical services to patients and has a patient mix of at least fifty-one percent (51%) indigent persons; and

5. "Patient mix" means the composition of the patient population based on information regarding the payor source.

SECTION 27. AMENDATORY 56 O.S. 1991, Section 59.1, is amended to read as follows:

Section 59.1 A. Each state individual income tax return form for tax years commencing after December 31, 1985, shall contain a designation as follows or shall contain similar wording as space allows on the tax return form: Oklahoma Indigent Health Care Fund. Check if you wish to donate ( ) from your tax refund:

( ) \$2.00 ( ) \$5.00 ( ) \$\_\_\_\_\_

B. There is hereby created in the State Treasury a revolving fund for the ~~Department of Human Services~~ Oklahoma Health Care

Authority, to be designated the "Indigent Health Care Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the ~~Department of Human Services~~ Authority from:

1. Any state monies appropriated for the purpose of implementing the provisions of the Oklahoma Indigent Health Care Act; and

2. Any monies collected pursuant to this section or any other monies available to the ~~Department of Human Services~~ Authority to implement the provisions of the Oklahoma Indigent Health Care Act.

C. All monies accruing to the credit of said fund are hereby appropriated and shall be budgeted and expended directly to eligible clinics by the ~~Department~~ Authority for the purpose of implementing the Oklahoma Indigent Health Care Act. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

### PART 3. Eligible Uninsured Persons

SECTION 28. AMENDATORY 56 O.S. 1991, Section 201, is amended to read as follows:

Section 201. A. The ~~Department of Public Welfare~~ Oklahoma Health Care Authority is hereby authorized to procure group hospitalization and medical care insurance in any of the forms customarily issued by any company or companies, association or associations authorized to do business in the State of Oklahoma for all persons eligible to receive old age assistance under the provisions of subsection (a) of Section 4 of the Oklahoma Social Security Act, at a rate not to exceed the amount of the actual costs.

B. Premiums on such insurance shall be paid from monies or funds appropriated for the payment of assistance to the needy aged persons qualifying for assistance under of Section 164 of Title 56

of the Oklahoma Statutes. Monthly claims for such premiums, certified by the Department of Human Services, shall be filed with the Director of State Finance for audit and settlement prior to being paid on warrants by the State Treasurer.

C. In the event the Authority, after a thorough study of the needs, determines that the services provided for in this Section can be more satisfactorily and economically delivered through an alternative method of providing for hospitalization medical care and other health services, the Authority is hereby authorized to establish and maintain a system through which the services can be offered.

SECTION 29. REPEALER Section 2, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5004), Section 6, Chapter 336, O.S.L. 1993, as amended by Section 30, Chapter 268, O.S.L. 1994 (56 O.S. Supp. 1996, Section 1010.6), and 56 O.S. 1991, Sections 202, 203 and 208, are hereby repealed.

SECTION 30. NONCODIFICATION Sections 1, 2, 4, 11, 19 and 24 of this act shall not be codified in the Oklahoma Statutes.

SECTION 31. RECODIFICATION Section 3, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5005), as amended by Section 3 of this act, shall be recodified as Section 3-1-101 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 1, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5003), shall be recodified as Section 3-2-101 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 5, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5007), as last amended by Section 6 of this act, shall be recodified as Sections 3-2-201 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 4, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5006), as last amended by Section 7 of this act, shall be recodified as Section 3-2-202 of Title 63 of the Oklahoma Statutes,

unless there is created a duplication in numbering. Section 1, Chapter 177, O.S.L. 1996 (63 O.S. Supp. 1996, Section 5009.1), as amended by Section 8 of this act, shall be recodified as Section 3-2-301 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 14, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5016), shall be recodified as Sections 3-2-302 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 1, Chapter 96, O.S.L. 1995 (63 O.S. Supp. 1996, Section 5017), shall be recodified as Sections 3-2-303 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 2, Chapter 330, O.S.L. 1995 (63 O.S. Supp. Section 5021), shall be recodified as Section 3-2-310 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 200, as amended by Section 1, Chapter 221, O.S.L. 1996, and as renumbered by Section 6, Chapter 221, O.S.L. 1996 (63 O.S. Supp. 1996, Section 5051.1), shall be recodified as Section 3-2-320 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 220a, as amended by Section 2, Chapter 221, O.S.L. 1996, and as renumbered by Section 6, Chapter 221, O.S.L. 1996 (63 O.S. Supp. 1996, Section 5051.2), shall be recodified as Section 3-2-321 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 200b, as amended by Section 3, Chapter 221, O.S.L. 1996, and as renumbered by Section 6, Chapter 221, O.S.L. 1996 (63 O.S. Supp. 1996, Section 5051.3), shall be recodified as Section 3-2-322 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 6, Chapter 332, O.S.L. 1993, as last amended by Section 11, Chapter 3, O.S.L. 1996 (63 O.S. Supp. 1996, Section 5008), shall be recodified as Section 3-2-410 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 1, Chapter 95, O.S.L. 1995 (63 O.S. Supp.

1996, Section 5015.1), shall be recodified as Section 3-2-420 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 11, Chapter 332, O.S.L. 1993, as amended by Section 1, Chapter 355, O.S.L. 1996 (63 O.S. Supp. 1996, Section 5013), shall be recodified as Section 3-2-501 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 8, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Sections 5010), shall be recodified as Section 3-2-502 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 13, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5015), as amended by Section 10 of this act, shall be recodified as Section 3-2-503 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 10, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5012), shall be recodified as Section 3-2-504 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 7, Chapter 332 O.S.L. 1993 (63 O.S. Supp. 1996, Section 5009), as last amended by Section 12 of this act, shall be recodified as Section 3-3-101 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 1, Chapter 291, O.S.L. 1992, as last amended by Section 1, Chapter 213, O.S.L. 1996, and as renumbered by Section 2, Chapter 213, O.S.L. 1996, shall be recodified as Section 3-3-102 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 3, Chapter 170, O.S.L. 1995 (63 O.S. Supp. 1996, Section 5018), shall be recodified as Section 3-3-103 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 4, Chapter 170, O.S.L. 1995 (63 O.S. Supp. 1996, Section 5019), shall be recodified as Section 3-3-104 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 6, Chapter 306, O.S.L. 1995 (63 O.S. Supp. 1996, Section 5020), shall be recodified as Section 3-3-150 of Title 63 of

the Oklahoma Statutes, unless there is created a duplication in numbering. Section 2, Chapter 331, O.S.L. 1995 (56 O.S. Supp. 1996, Section 1010.8), shall be recodified as Section 3-3-151 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 1, Chapter 336, O.S.L. 1993 (56 O.S. Supp. 1996, Section 1010.1), as amended by Section 13 of this act, shall be recodified as Section 3-3-201 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 2, Chapter 336, O.S.L. 1993, as amended by Section 2, Chapter 204, O.S.L. 1995 (56 O.S. Supp. 1996, Section 1010.2), shall be recodified as Section 3-3-202 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 3, Chapter 336, O.S.L. 1993, as last amended by Section 1, Chapter 321, O.S.L. 1996 (56 O.S. Supp. 1996, Section 1010.3), shall be recodified as Section 3-3-203 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 4, Chapter 336, O.S.L. 1993, as last amended by Section 2, Chapter 326, O.S.L. 1996 (56 O.S. Supp. 1996, Section 1010.4), shall be recodified as Section 3-3-204 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 5, Chapter 336, O.S.L. 1993, as amended by Section 5, Chapter 204, O.S.L. 1995 (56 O.S. Supp. 1996, Section 1010.5), shall be recodified as Section 3-3-205 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 7, Chapter 336, O.S.L. 1993 (56 O.S. Supp. 1996, Section 1010.7), shall be recodified as Section 3-3-206 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 204, as last amended by Section 1, Chapter 161, O.S.L. 1995 (56 O.S. Supp. 1996, Section 204), shall be recodified as Section 3-3-301 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 204.1, as amended by Section 14 of this act, shall be recodified as

Section 3-3-302 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 2, Chapter 161, O.S.L. 1995, as amended by Section 4, Chapter 221, O.S.L. 1996, and as renumbered by Section 7, Chapter 221, O.S.L. 1996 (63 O.S. Supp. 1996, Section 5030.1), shall be recodified as Section 3-3-303 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 206, as amended by Section 15 of this act, shall be recodified as Section 3-3-401 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 207, as amended by Section 16 of this act, shall be recodified as Section 3-3-402 of Title 56 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 8, Chapter 326, O.S.L. 1996 (63 O.S. Supp. 1996, Section 5022), shall be recodified as Section 3-3-405 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 3, Chapter 280, O.S.L. 1994, as amended by Section 1, Chapter 204, O.S.L. 1995 (56 O.S. Supp. 1996, Section 2001), shall be recodified as Section 3-3-406 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 1, Chapter 258, O.S.L. 1992 (56 O.S. Supp. 1996, Section 200d), as amended by Section 17 of this act, shall be recodified as Section 3-3-407 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 1001, shall be recodified as Section 3-3-501 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 1002, as last amended by Section 18 of this act, shall be recodified as Section 3-3-502 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 1003, as amended by Section 2, Chapter 306, O.S.L. 1995 (56 O.S. Supp. 1996, Section 1003), shall be recodified as Section 3-3-503 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56

O.S. 1991, Section 1004, as amended by Section 3, Chapter 306, O.S.L. 1995 (56 O.S. Supp. 1996, Section 1004), shall be recodified as Section 3-3-504 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 1005, as amended by Section 4, Chapter 306, O.S.L. 1995 (56 O.S. Supp. 1996, Section 1005), shall be recodified as Section 3-3-505 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 1006, shall be recodified as Section 3-3-506 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 1007, as amended by Section 5, Chapter 306, O.S.L. 1995 (56 O.S. Supp. 1996, Section 1007), shall be recodified as Section 3-3-507 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 1008, shall be recodified as Section 3-3-508 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 12, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5014), as amended by Section 20 of this act, shall be recodified as Section 3-4-101 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 1, Chapter 347, O.S.L. 1992 (63 O.S. Supp. 1996, Section 1-115), shall be recodified as Section 3-4-201 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 2, Chapter 347, O.S.L. 1992, as last amended by Section 21 of this act, shall be recodified as Section 3-4-202 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 3, Chapter 347, O.S.L. 1992 (63 O.S. Supp. 1996, Section 1-117), shall be recodified as Section 3-4-203 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 4, Chapter 347, O.S.L. 1992, as last amended by Section 22 of this act, shall be recodified as Section 3-4-204 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering.

Section 5, Chapter 347, O.S.L. 1992, as last amended by Section 5, Chapter 221, O.S.L. 1996 (63 O.S. Supp. 1996, Section 1-119), shall be recodified as Section 3-4-205 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering.

Section 6, Chapter 347, O.S.L. 1992, as last amended by Section 3, Chapter 350, O.S.L. 1994 (63 O.S. Supp. 1996, Section 1-120), shall be recodified as Section 3-4-206 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering.

Section 7, Chapter 347, O.S.L. 1992, as amended by Section 19, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 1-121), shall be recodified as Section 3-4-207 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering.

Section 8, Chapter 347, O.S.L. 1992, as last amended by Section 4, Chapter 350, O.S.L. 1994 (63 O.S. Supp. 1996, Section 1-122), shall be recodified as Section 3-4-208 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering.

Section 9, Chapter 332, O.S.L. 1993 (63 O.S. Supp. 1996, Section 5011), as last amended by Section 23 of this act, shall be recodified as Section 3-5-101 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 36 O.S. 1991, Section 6501, shall be recodified as Section 3-6-101 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 36 O.S. 1991, Section 6502, shall be recodified as Section 3-6-102 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 36 O.S. 1991, Section 6503, shall be recodified as Section 3-6-103 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 36 O.S. 1991, Section 6504, as last amended by Section 25 of this act, shall be recodified as Section 3-6-104 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 36 O.S. 1991, Section 6505, shall be recodified as Section 3-6-105 of Title 63 of the Oklahoma Statutes, unless there is created a

duplication in numbering. 36 O.S. 1991, Section 6506, shall be recodified as Section 3-6-106 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 36 O.S. 1991, Section 6507, shall be recodified as Section 3-6-107 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 57, shall be recodified as Section 3-6-201 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 57.1, shall be recodified as Section 3-6-202 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 58, as amended by Section 26 of this act, shall be recodified as Section 3-6-203 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 59.1, as amended by Section 27 of this act, shall be recodified as Section 3-6-204 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering. 56 O.S. 1991, Section 201, as amended by Section 28 of this act, shall be recodified as Section 3-6-301 of Title 63 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 32. This act shall become effective November 1, 1997.

46-1-6255

KSM