

SHORT TITLE: Public health and safety; Oklahoma Health Care Authority Board; staggering terms of members. Effective date. Emergency.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1117

By: Monson

AS INTRODUCED

An Act relating to public health and safety; 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. 1997, Section 5007), which relates to the Oklahoma Health Care Authority Board; modifying effective dates of terms of members; providing for appointments to be staggered; providing an effective date; 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. 1997, 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~~ July 1, 1994, 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. The term of office of the member appointed by the Governor and 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. One member appointed by the President Pro Tempore of the Senate shall be a resident of the Third 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, 2002;

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, 2003;

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, 2004.

D. Each of the current terms of the Board members presently serving on the Board as of July 1, 1998, shall expire on September 1 of the year in which the respective term expires. As new terms of office are appointed, members shall be appointed to four-year staggered terms so that one Board member shall be added each year.

E. 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.

F. On and after the effective date of this act July 1, 1994, 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.~~ G. 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 administrative policies and annual business plan shall be examined annually in an independent audit.

~~F.~~ H. 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.~~ I. 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. This act shall become effective July 1, 1998.

SECTION 3. 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.

