

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

CONFERENCE COMMITTEE SUBSTITUTION
FOR ENGROSSED
SENATE BILL 913

By: Haney and Hobson of the
Senate

and

Settle and Begley of the
House

CONFERENCE COMMITTEE SUBSTITUTION

An Act relating to various health services agencies; amending Section 81 of Enrolled House Bill No. 2270 of the 2nd Session of the 47th Oklahoma Legislature; modifying appropriations to the Oklahoma Health Authority Act; making appropriations to the Oklahoma Health Care Authority; authorizing expenditure for certain purposes; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting salary of the Administrator; authorizing payment of certain expenses of the Administrator under certain conditions; authorizing payment of certain expenses of the Medical Director and Associate Medical Director; authorizing the employing of certain attorneys; providing certain exceptions; providing budgetary limitations; providing procedures for exempting certain funds from expenditure and budgetary limitations; requiring certain approvals; specifying certain funding requirements; 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; amending 62 O.S. 1991, Section 10.3, as amended by Section 2, Chapter 291, O.S.L. 1993 (62 O.S. Supp 1999, Section 10.3), which relates to the transfer of treasury funds to General Revenue Cash-flow reserve fund; requiring transfer of certain funds; specifying purpose of funds; requiring legislative authorization for expenditure; amending Section 74 of Enrolled House Bill No. 2260 of the 2nd Session of the 47th Oklahoma Legislature, which relates to an appropriation; modifying appropriation to the State Department of Health; requiring a transfer of funds; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting salary of the Commissioner; authorizing payment of certain expenses of Commissioner under certain conditions; providing budgetary limitations; providing procedures for exempting certain funds from expenditure and

budgetary limitations; providing exceptions; requiring certain approvals; requiring certain transfers of certain funds for certain purposes; requiring crediting of certain funds; expressing legislative intent; requiring expenditures in certain categories and amounts; requiring certain performance measures; specifying composition of certain boards; requiring the submitting of certain reports; specifying contents of such reports; specifying the expenditure of certain funds; requiring certain evaluation reports; requiring submission; requiring transfer of certain funds for certain purpose; providing requirements for certain programs; requiring certain report; requiring budgeting in certain categories and amounts for the J.D. McCarty Center for Children with Developmental Disabilities; requiring certain performance measures; providing for duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; making appropriations to the Department of Mental Health and Substance Abuse Services; stating purposes; authorizing expenditures for certain purposes; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting salary of the Commissioner; providing budgetary limitations; providing limitations for certain reimbursements; stating legislative intent; requiring certain report; specifying the expenditure of certain funds; requiring establishment of certain rules; requiring certain report; authorizing certain employees to be placed in unclassified service; requiring certain employees be in the classified service; providing exceptions; authorizing expenditures for certain purposes; providing budgetary limitations for the University Hospital Authority; requiring budgeting in certain categories and amounts for the Oklahoma Department of Veterans Affairs; requiring certain performance measures; providing for duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; and providing an effective date.

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

OKLAHOMA HEALTH CARE AUTHORITY

SECTION 1. AMENDATORY. Section 81 of Enrolled House Bill No. 2270 of the 2nd Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 81. 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, 2001, the sum of ~~Three Hundred Two Million Four Hundred Ninety Thousand Six Hundred Seventy-three Dollars~~
~~(\$302,490,673.00)~~ Two Hundred Eighty-seven Million Four Hundred Ninety Thousand Six Hundred Seventy-three Dollars (\$287,490,673.00)
 or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Health Care Authority by law.

SECTION 2. There is hereby appropriated to the Oklahoma Health Care Authority from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Fifteen Million Dollars (\$15,000,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Health Care Authority by law.

SECTION 3. The Oklahoma Health Care Authority is hereby authorized to expend during the fiscal year ending June 30, 2001, from the Tobacco Settlement Fund of the State Treasury, the sum of Three Million Eight Hundred Sixty-six Thousand Two Hundred Seventy-five Dollars (\$3,866,275.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Health Care Authority by law.

SECTION 4. The Oklahoma Health Care Authority is hereby authorized to expend during the fiscal year ending June 30, 2001, from the Tobacco Settlement Fund of the State Treasury, the sum of Twenty-three Million Nine Hundred Forty-seven Thousand Seven Hundred Fifty Dollars (\$23,947,750.00) or so much thereof as may be necessary to implement the requirements imposed upon the Oklahoma Health Care Authority by Section 1 of Enrolled House Bill No. 2019 of the 2nd Session of the 47th Oklahoma Legislature.

SECTION 5. For the fiscal year ending June 30, 2001, the Oklahoma Health Care Authority shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Operations	\$ 8,335,989.00	\$ 21,794,928.00

Medicaid Payments	341,215,741.00	2,009,002,079.00
Medicaid Contracted		
Services	10,738,586.00	45,762,179.00
Rehabilitation Services	0.00	50,000.00
OSA Non-Title XIX Medical	0.00	22,385,710.00
Non-Title XIX Medical	<u>14,382.00</u>	<u>14,382.00</u>
TOTAL	\$360,304,658.00	\$2,099,029,278.00

The agency shall develop outcome-based performance measures for each category.

SECTION 6. 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-three Thousand Five Hundred Dollars (\$123,500.00) per annum, payable monthly for the months of July, August, and September 2000. Effective October 1, 2000, the salary of the Administrator shall not exceed One Hundred Twenty-five Thousand Five Hundred Dollars (\$125,500.00) per annum, payable monthly for the remainder of the fiscal year ending June 30, 2001. The Oklahoma Health Care Authority is authorized to pay professional expenses of the Administrator, including licenses, professional memberships, continuing medical education classes conducted in the State of Oklahoma, and medical malpractice insurance, provided that the Administrator of the Authority possesses a Doctor of Medicine Degree or a Doctor of Osteopathy Degree and a license to practice medicine in this state. The Oklahoma Health Care Authority is further authorized to pay professional expenses of the Medical Director, including dues, licenses, professional memberships, continuing medical education classes conducted in the State of Oklahoma, and medical malpractice insurance, provided the Medical Director is a full-time employee of the Authority. The Oklahoma Health Care Authority is further authorized to pay professional expenses of the

Associate Medical Director, including dues, licenses, professional memberships, continuing medical education classes conducted in the State of Oklahoma, and medical malpractice insurance, provided the Associate Medical Director is a full-time employee of the Authority. The Oklahoma Health Care Authority is authorized to employ four (4) full-time-equivalent attorneys. This authorization shall not increase the budgetary limits in this section. The Oklahoma Health Care Authority for the fiscal year ending June 30, 2001, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	276.5
Lease-Purchase Agreements	\$1,000.00

SECTION 7. A. The Administrator of the Oklahoma Health Care Authority may request in the manner provided in this section that receipt and expenditure of unanticipated federal funds awarded after July 1, 2000, be exempt from expenditure limitations and from budgetary limitations.

1. The Administrator shall make a request for exemption to the Director of State Finance in writing and file a revised budget program.

2. The Administrator shall also file copies of the request for exemption and budget work program revisions with the Joint Legislative Committee on Budget and Program Oversight created by Section 41.47 of Title 62 of the Oklahoma Statutes. The Committee shall notify the Director of State Finance of any noncompliance of the request with legislative intent within twelve (12) calendar days of the Committee's receipt of the exemption request.

B. The Director of State Finance shall approve the request for exemption unless both the Chair and Vice Chair of the Joint Legislative Committee on Budget and Program Oversight provide

written notification to the Director of State Finance within twelve (12) calendar days of the Committee's receipt of the exemption request that the exemption subverts the intention and objectives of the Legislature in establishing the original limit. The Director of State Finance shall give written notice of approval or disapproval of each exemption to the agency, the Governor and the Chair and Vice Chair of the Joint Legislative Committee on Program and Budget Oversight within eighteen (18) calendar days of receiving the request.

SECTION 8. The Director of State Finance shall transfer monies appropriated from the General Revenue Fund to the Oklahoma Health Care Authority disbursing funds in the amounts and ratios requested by the Authority except that the cumulative amount transferred shall not exceed the cumulative amount of equal monthly allotments of the appropriation from the General Revenue Fund. Monies appropriated or collected for the fiscal year ending June 30, 2001, may be transferred to these disbursing funds for the fiscal year ending June 30, 2000, 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, 2000, to the disbursing fund for the fiscal year ending June 30, 2001, 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 a record of the inter-year transfers.

SECTION 9. 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 10. AMENDATORY 62 O.S. 1991, Section 10.3, as amended by Section 2, Chapter 291, O.S.L. 1993 (62 O.S. Supp. 1999, Section 10.3) is amended to read as follows:

Section 10.3 A. The Director of State Finance may transfer monies from any treasury fund to the General Revenue Cash-flow Reserve Fund as required to satisfy monthly allocations scheduled from the General Revenue Fund for the then current fiscal year. Funds from which any monies are so transferred shall be repaid before any transfers are made from the General Revenue Fund to the General Revenue Cash-flow Reserve Fund for the subsequent fiscal year.

B. The Director of State Finance may transfer monies to any treasury fund from the General Revenue Cash-flow Reserve Fund as required to satisfy cash-flow requirements of Public Law 101-453, the Cash Management Improvement Act, as amended, 31 U.S.C., Sections 3335, 6501 and 6503. Funds to which any monies are so transferred shall be repaid within the same month. If insufficient funds exist in the General Revenue Cash-flow Reserve Fund for this purpose, the General Revenue Fund for the then current fiscal year may be used with the same repayment stipulations.

C. On July 1, 2000, the Director of State Finance shall transfer the sum of Nine Million Dollars (\$9,000,000.00) of unappropriated cash accruing to the State Treasury from revenues which were not appropriated in prior fiscal years and which are not required by the Constitution to be deposited in the Constitutional Reserve Fund from the General Revenue Cash-flow Reserve Fund to a special account in the Special Cash Fund created for that purpose. Such funds shall be held as a reserve to provide funding for the Oklahoma Health Care Authority in the event that the Authority experiences a shortfall in revenue required to fulfill the duties imposed upon it by law for the fiscal year ending June 30, 2001. No

money may be expended or transferred from such account without
express legislative authorization.

STATE DEPARTMENT OF HEALTH

SECTION 11. AMENDATORY Section 74 of Enrolled House Bill No. 2260 of the 2nd Session of the 47th Oklahoma Legislature is amended to read as follows:

Section 74. 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, 2001, the sum of ~~Sixty-eight Million One Hundred Eighty-nine Thousand Forty-four Dollars (\$68,189,044.00)~~ Sixty-six Million Nine Hundred Sixty-one Thousand Nine Hundred Thirty-eight Dollars (\$66,961,938.00) or so much thereof as may be necessary to perform the duties imposed upon the State ~~Health~~ Department of Health by law.

SECTION 12. TRANSFER The Director of the Office of State Finance on the effective date of this act shall transfer the sum of One Million Eight Hundred Thirty-three Thousand Three Hundred Thirty-three Dollars (\$1,833,333.00) from the Tobacco Settlement Fund of the State Treasury to the Tobacco Cessation and Prevention Revolving Fund created by Section 20 of Enrolled House Bill No. 2019 of the 2nd Session of the 47th Oklahoma Legislature.

SECTION 13. For the fiscal year ending June 30, 2001, the State Department of Health shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Support	\$2,200,344.00	\$16,412,965.00
Communicable Disease	4,322,907.00	19,932,285.00
Chronic Disease	709,601.00	5,383,656.00
Family Health	33,595,105.00	126,871,063.00
Local Health	13,560,580.00	30,338,188.00
Eldercare	6,812,734.00	8,390,711.00

Health Promotion and

Policy Analysis	5,343,674.00	15,041,274.00
Consumer Protection	<u>2,250,326.00</u>	<u>18,053,051.00</u>
TOTAL	\$68,795,271.00	\$240,423,193.00

The agency shall develop outcome-based performance measures for each category.

SECTION 14. 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 One Hundred Twenty-three Thousand Dollars (\$123,000.00) per annum, payable monthly for the months of July, August, and September 2000. Effective, October 1, 2000, the salary of the State Commissioner of Health shall not exceed One Hundred Twenty-five Thousand Dollars (\$125,000.00) per annum, payable monthly for the remainder of the fiscal year ending June 30, 2001. The State Department of Health is authorized to pay the professional expenses of the Commissioner of Health, including dues, licenses, professional memberships, continuing medical education classes conducted in the State of Oklahoma, and medical malpractice insurance, provided that the Commissioner of Health possesses a Doctor of Medicine Degree or a Doctor of Osteopathy Degree and a license to practice medicine in this state. The State Department of Health for the fiscal year ending June 30, 2001, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	2,517.3
Lease-Purchase Agreements	\$500,000.00

SECTION 15. A. The State Commissioner of Health may request in the manner provided in this section that receipt and expenditure of

unanticipated federal funds awarded after July 1, 2000, be exempt from expenditure limitations and from budgetary limitations.

1. The Commissioner shall make a request for exemption to the Director of State Finance in writing and file a revised budget program.

2. The Commissioner shall also file copies of the request for exemption and budget work program revisions with the Joint Legislative Committee on Budget and Program Oversight created by Section 41.47 of Title 62 of the Oklahoma Statutes. The Committee shall notify the Director of State Finance of any noncompliance of the request with legislative intent within twelve (12) calendar days of the Committee's receipt of the exemption request.

B. The Director of State Finance shall approve the request for exemption unless both the Chair and Vice Chair of the Joint Legislative Committee on Budget and Program Oversight provide written notification to the Director of State Finance within twelve (12) calendar days of the Committee's receipt of the exemption request that the exemption subverts the intention and objectives of the Legislature in establishing the original limit. The Director of State Finance shall give written notice of approval or disapproval of each exemption to the agency, the Governor and the Chair and Vice Chair of the Joint Legislative Committee on Program and Budget Oversight within eighteen (18) calendar days of receiving the request.

SECTION 16. The State Department of Health shall transfer the sum of Six Million Four Hundred Seventy-seven Thousand Dollars Five Hundred Forty-eight Dollars (\$6,477,548.00) from the funds appropriated in Section 74 of Enrolled House Bill No. 2260 of the 2nd Session of the 47th Oklahoma Legislature as amended by Section 11 of this act to the Eldercare Revolving Fund. A quarterly financial report for the Eldercare Program specifying how funds have been expended shall be submitted to the State Department of Health

by each Eldercare contractor. Seventy-five percent (75%) of Medicaid or other funds generated by an Eldercare Program shall be credited to the contract of the program for the following fiscal year.

SECTION 17. The State Department of Health shall transfer the sum of Two Million Nine Hundred Eighty-one Thousand Two Hundred Twenty-one Dollars (\$2,981,221.00) from the funds appropriated in Section 74 of Enrolled House Bill No. 2260 of the 2nd Session of the 47th Oklahoma Legislature as amended by Section 11 of this act to the Child Abuse Prevention Fund established pursuant to Section 1-227.8 of Title 63 of the Oklahoma Statutes, to be expended in accordance with law.

SECTION 18. The State Department of Health shall transfer the sum of One Hundred Twenty-five Thousand Dollars (\$125,000.00) from the funds appropriated in Section 74 of Enrolled House Bill No. 2260 of the 2nd Session of the 47th Oklahoma Legislature as amended by Section 11 of this act to the Kidney Health Revolving Fund established pursuant to Section 1-2603 of Title 63 of the Oklahoma Statutes to be expended in accordance with law.

SECTION 19. 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 20. From the funds appropriated to the State Department of Health in Section 74 of Enrolled House Bill No. 2260 of the 2nd Session of the 47th Oklahoma Legislature as amended by Section 11 of this act, 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	\$197,910.00
Contractual services of the Southeast	

Area Health Center	\$197,910.00
Contractual services of the Morton Comprehensive Health Services, Incorporated	\$386,902.00
Contractual services of the Konawa Community Health Center	\$225,000.00
Contractual services of the Greenwood Educational and Cultural Center	\$125,000.00
Contractual services of the Oklahoma City Indian Clinic	\$75,000.00
Contractual services of the College of Osteopathic Medicine of Oklahoma State University for the Area Health Education Centers Campaign	\$460,000.00
Contractual services of the Sickle Cell Research Foundation, Incorporated	\$171,500.00
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 the University of Oklahoma Health Science Center Pediatric Endocrinology Department	\$117,500.00
Contractual Services of the North Tulsa Heritage Foundation, Incorporated	\$65,000.00
Contractual Services of the Metropolitan Tulsa Urban League, Incorporated	\$65,000.00
Contractual Services of the Dunjee All-School Association, Incorporated	\$100,000.00
Contractual Services of the Alzheimer's	

Association, Oklahoma Chapter	<u>\$10,000.00</u>
TOTAL	\$2,467,133.00

SECTION 21. From the funds appropriated to the State Department of Health in Section 74 of Enrolled House Bill No. 2260 of the 2nd Session of the 47th Oklahoma Legislature as amended by Section 11 of this act, the amount of One Hundred Fifty Thousand Dollars (\$150,000.00) shall be used for a program providing dental services to the disabled and elderly.

Any program receiving funds authorized by this section shall be governed by a Board composed of a majority of members who are certified members of the dental profession. The Board shall also include representatives of the disabled and elderly populations and one member appointed by the Commissioner of Health.

The program shall file a monthly financial report with the State Department of Health as well as a monthly report detailing the dental services provided to the disabled and elderly.

SECTION 22. From the funds appropriated to the State Department of Health in Section 74 of Enrolled House Bill No. 2260 of the 2nd Session of the 47th Oklahoma Legislature as amended by Section 11 of this act, the amount of Two Million Seven Hundred Ninety-five Thousand Two Hundred Twenty-seven Dollars (\$2,795,227.00) shall be used for providing perinatal, women's and children's services for low-income persons statewide.

Direct services for maternal and child health	
and to encourage early entry of high-risk	
clients into the health care system	\$2,501,455.00
Contractual services with the	
Perinatal Continuing Education	
Program within the Department of	
Obstetrics and Gynecology of the	
University of Oklahoma College of Medicine	\$229,697.00
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, to be located in a select county with a high teen pregnancy rate

\$64,075.00

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 23. The State Department of Health shall transfer the sum of Thirteen Million Eight Hundred Fifty-four Thousand Six Hundred Sixty Dollars (\$13,854,660.00) from the funds appropriated in Section 74 of Enrolled House Bill No. 2260 of the 2nd Session of the 47th Oklahoma Legislature as amended by Section 11 of this act to the Children First Fund to be expended in accordance with law.

SECTION 24. It is the intent of the Legislature that the funds transferred in Section 23 of this act shall be used for the purpose of establishing family resource programs to be known as the Children First Program.

Programs shall comply with the uniform components of the State Plan for the Prevention of Child Abuse. The State Department of

Health shall contract with a university-related program for a performance-based evaluation of programs. Program sites shall fully cooperate and comply with the evaluation process and sites shall provide weekly caseload and referral information to the State Department of Health.

An annual progress and evaluation report on the Children First Program shall be delivered to the President Pro Tempore of the Senate, the Speaker of the House of Representatives and the Governor.

J. D. MCCARTY CENTER FOR CHILDREN WITH
DEVELOPMENTAL DISABILITIES

SECTION 25. For the fiscal year ending June 30, 2001, the J.D. McCarty Center for Children with Developmental Disabilities shall budget all funds in the following categories and amounts, excluding expenditures for capital and special projects and excluding expenditures from the gifts and bequests fund:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
General Operations	<u>\$2,070,083.00</u>	<u>\$7,059,052.00</u>
TOTAL	\$2,070,083.00	\$7,059,052.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 26. 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 Cerebral Palsy Commission. The salary of the Director shall not exceed Sixty-eight Thousand Dollars (\$68,000.00) per annum, payable monthly for the months of July, August, and September 2000. Effective October 1, 2000, the salary of the Director shall not exceed Seventy Thousand Dollars (\$70,000.00) per annum, payable monthly for the remainder of the fiscal year ending June 30, 2001. The J.D. McCarty Center for Children with Developmental Disabilities, for the fiscal year ending

June 30, 2001, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	134.0

DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES

SECTION 27. 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, 2001, the sum of Six Million Three Hundred Twenty-six Thousand One Hundred Ninety Dollars (\$6,326,190.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Mental Health and Substance Abuse Services by law.

SECTION 28. The Department of Mental Health and Substance Abuse Services is hereby authorized to expend during the fiscal year ending June 30, 2001, from the Tobacco Settlement Fund of the State Treasury, the sum of One Million Three Hundred Twenty-three Thousand Four Hundred Eighty-six Dollars (\$1,323,486.00) or so much thereof as may be necessary to perform the duties imposed upon the Department of Mental Health and Substance Abuse Services by law.

SECTION 29. The Department of Mental Health and Substance Abuse Services is hereby authorized to expend during the fiscal year ending June 30, 2001, from the Tobacco Settlement Fund of the State Treasury, the sum of One Hundred Sixty-seven Thousand Seventy-five Dollars (\$167,075.00) or so much thereof as may be necessary to implement the requirements imposed upon the Department of Mental Health and Substance Abuse Services by Section 1 of Enrolled House Bill No. 2019 of the 2nd Session of the 47th Oklahoma Legislature.

SECTION 30. For the fiscal year ending June 30, 2001, the Department of Mental Health and Substance Abuse Services shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Central Administration	\$6,855,161.00	\$12,020,909.00
Inpatient Hospital	38,648,149.00	52,866,879.00
Community-based Programs	70,847,415.00	94,384,070.00
Substance Abuse Programs	13,879,656.00	37,653,522.00
Domestic Violence Programs	3,815,556.00	4,684,388.00
Residential Care Programs	<u>3,054,796.00</u>	<u>3,632,510.00</u>
TOTAL	\$137,100,733.00	\$205,242,278.00

The agency shall develop outcome-based performance measures for each budget category.

SECTION 31. 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 One Hundred Twenty-three Thousand Dollars (\$123,000.00) per annum, payable biweekly for the months of July, August, and September 2000. Effective October 1, 2000, the salary of the Commissioner shall not exceed One Hundred Twenty-five Thousand Dollars (\$125,000.00) per annum, payable biweekly for the remainder of the fiscal year ending June 30, 2001. The Department of Mental Health and Substance Abuse Services for the fiscal year ending June 30, 2001, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	2,651.0
Lease-Purchase Agreements	\$1,418,429.00

The Department of Mental Health and Substance Abuse Services for the fiscal year ending June 30, 2001, shall set the reimbursement rate for residential care facilities at a level not to exceed Seven Dollars and sixty-six cents (\$7.66) per mental health resident per day.

SECTION 32. It is the intent of the Legislature that the Department of Mental Health and Substance Abuse Services set aside Five Million Seven Hundred Twenty-five Thousand Dollars (\$5,725,000.00) for purchase of newer generation medications. On or before April 1, 2001, 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 the expenditures for such medications.

SECTION 33. Of the funds appropriated in Section 25 of this act, the Department of Mental Health and Substance Abuse Services shall expend Four Hundred Forty Thousand Dollars (\$440,000.00), in addition to any additional funds identified by the Department, to implement a Program for Assertive Community Treatment (PACT) team in the Eastern State Hospital service area.

The Department of Mental Health and Substance Abuse Services shall work with the Oklahoma Health Care Authority to establish and submit any revisions to policies and rules needed to maximize Medicaid funding for the services provided by the Program for Assertive Community Treatment (PACT) team.

The Department of Mental Health and Substance Abuse Services shall deliver a progress and evaluation report on the Program for Assertive Community Treatment (PACT) team to the President Pro Tempore of the Senate and the Speaker of the House of Representatives on or before April 1, 2001.

SECTION 34. Full-time-equivalent employees utilized at the Central Office of the Department of Mental Health and Substance Abuse Services may be placed in the unclassified service. All other employees of the Central Office shall be in the classified service, except as provided in Section 840-5.5 of Title 74 of the Oklahoma Statutes.

UNIVERSITY HOSPITALS AUTHORITY

SECTION 35. The University Hospitals Authority is hereby authorized to expend during the fiscal year ending June 30, 2001, from the Tobacco Settlement Fund of the State Treasury, the sum of Two Million Dollars (\$2,000,000.00) or so much thereof as may be necessary to perform the duties imposed upon the University Hospitals Authority by law.

SECTION 36. The University Hospitals Authority is hereby authorized to expend during the fiscal year ending June 30, 2001, from the Tobacco Settlement Fund of the State Treasury, the sum of Three Million Nine Hundred Twenty-one Thousand Four Hundred Fourteen Dollars (\$3,921,414.00) or so much thereof as may be necessary to provide state matching funds for the Direct Medical Education Supplemental Payment program to support graduate medical education for residents and interns under the SoonerCare managed care waiver program.

SECTION 37. The University Hospitals Authority for the fiscal year ending June 30, 2001, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	10.0

OKLAHOMA DEPARTMENT OF VETERANS AFFAIRS

SECTION 38. For the fiscal year ending June 30, 2001, the Oklahoma Department of Veterans Affairs shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
Central Administration	\$310,000.00	\$5,399,416.00
Nursing Care	22,166,233.00	\$60,723,078.00
Claims and Benefits	315,000.00	1,827,696.00
State Accrediting Agency	<u>0.00</u>	<u>325,645.00</u>
TOTAL	\$22,791,233.00	\$68,275,835.00

The agency shall develop outcome-based performance measures for each category.

SECTION 39. 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 Seventy-three Thousand Dollars (\$73,000.00) per annum, payable monthly for the months of July, August, and September 2000. Effective October 1, 2000, the salary of the Director shall not exceed Seventy-five Thousand Dollars (\$75,000.00) per annum, payable monthly for the remainder of the fiscal year ending June 30, 2001. The Oklahoma Department of Veterans Affairs for the fiscal year ending June 30, 2001, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	1,611.0
Lease-Purchase Agreements	\$10,000.00

SECTION 40. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2001 (hereafter FY-01), or may be budgeted for the fiscal year ending June 30, 2002 (hereafter FY-02). Funds budgeted for FY-01 may be encumbered only through June 30, 2001, and must be expended by November 15, 2001. Any funds remaining after November 15, 2001, and not budgeted for FY-02, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-02 may be encumbered only through June 30, 2002. Any funds remaining after November 15, 2002, 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-01, and not required to pay

obligations for that fiscal year, may be budgeted for FY-02, after the agency to which the funds have been appropriated has prepared and submitted a budgeted work program revision removing these funds from the FY-01 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 41. This act shall become effective September 1, 2000.

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