

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1518

By: Mass and Bonny of the
House

and

Haney and Hobson of the
Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to various health services agencies; making an appropriation to the Oklahoma Health Care Authority; stating purpose; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting salary of the Administrator; authorizing payment of certain expenses of the Administrator and of the Authority; authorizing payment of certain expenses; 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 filings and approvals; specifying certain time limitations; providing for certain notices; specifying certain funding requirements; authorizing the transfer of certain funds for certain purposes; providing exceptions; authorizing the expenditure of previously appropriated funds for certain purpose; requiring the keeping of certain records; authorizing certain requests relating to early transfers; making an appropriation to the State Department of Health; stating purpose; authorizing certain expenditures for certain purposes; requiring budgeting in certain categories and amounts; 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; requiring certain employers to provide certain services; providing procedures for exempting certain funds from expenditure and budgetary limitations; providing exceptions; requiring certain approvals; requiring notices; requiring certain transfers of certain funds for certain purposes; requiring financial reports; requiring crediting of certain funds; requiring certain expenditures; expressing legislative intent; requiring expenditures in certain categories and amounts; requiring funding for certain programs; specifying composition of certain boards; requiring the submitting of certain reports; requiring certain expenditures; providing for demonstration projects; providing for components; requiring reports; defining

term; specifying contents of such reports; specifying the expenditure of certain funds; requiring certain evaluation reports; requiring transfer of certain funds for certain purpose; providing requirements for certain programs; providing for certain contracts; making an appropriation to the J.D. McCarty Center for Children with Developmental Disabilities; stating purpose; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting salary of the Director; providing budgetary limitations; making an appropriation to the Department of Mental Health and Substance Abuse Services; stating purposes; requiring budgeting in certain categories and amounts; providing for duties and compensation of employees; limiting salary of the Commissioner; providing budgetary limitations; providing limitations for certain reimbursements; providing procedures for exemption from expenditure limitations for certain funds; requiring certain filings; providing for notices; stating legislative intent; requiring certain report; specifying contents of report; requiring confidentiality; specifying certain requirements for written discharge plan for certain institutionalized patients; making certain medications available to certain patients; requiring certain revisions necessary to policy and rules; authorizing certain employees to be placed in unclassified service; requiring certain employees be in the classified service; providing exceptions; making an appropriation to the University Hospitals Authority; stating purposes; providing budgetary limitations; making an appropriation to the Oklahoma Department of Veterans Affairs; stating purpose; requiring budgeting in certain categories and amounts; authorizing certain expenditures; 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 declaring an emergency.

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

OKLAHOMA HEALTH CARE AUTHORITY

SECTION 1. 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, 2002, the sum of Seventeen Million Nine Hundred Seventy-two Thousand Three Hundred Fourteen Dollars (\$17,972,314.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Health Care Authority by law.

SECTION 2. For the fiscal year ending June 30, 2002, 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	\$8,509,967.00	\$19,319,176.00
Medicaid Payments	419,197,135.00	2,170,000,000.00
Medicaid Contracted		
Services	11,886,151.00	57,639,344.00
Rehabilitation Services	0.00	50,000.00
OSA Non-Title XIX		
Medical	0.00	22,385,710.00
Non-Title XIX Medical	14,382.00	14,382.00
Indigent Health Care		
Grant	<u>0.00</u>	<u>0.00</u>
TOTAL	\$439,607,635.00	\$2,269,408,612.00

SECTION 3. A. 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.

B. 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 fiscal year ending June 30, 2002.

C. The Oklahoma Health Care Authority is authorized to:

1. Pay professional expenses of the Administrator of the Authority, including dues, licenses, professional memberships, continuing medical education classes conducted in the State of Oklahoma, and medical malpractice insurance;

2. 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;

3. 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; and

4. Employ five (5) full-time-equivalent attorneys. This authorization shall not increase the budgetary limits in this section.

D. The Oklahoma Health Care Authority for the fiscal year ending June 30, 2002, 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	284.5
Lease-Purchase Agreements	\$0.00

SECTION 4. 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, 2001, 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 5. 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, 2002, may be transferred to these disbursing funds for the fiscal year ending June 30, 2001, 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, 2001, to the disbursing fund for the fiscal year ending June 30, 2002, to satisfy encumbrances and obligations of said fiscal year. All transfer requests shall be in writing to the Director of State Finance. The Oklahoma Health Care Authority shall maintain record of the interyear transfers.

SECTION 6. 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.

STATE DEPARTMENT OF HEALTH

SECTION 7. There is hereby appropriated to the Oklahoma 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, 2002, the sum of One Million Four Hundred Thirty Thousand Seven Hundred Fifty-one Dollars (\$1,430,751.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma State Department of Health by law.

SECTION 8. TRANSFER The Director of the Office of State Finance on the effective date of this act shall transfer the sum of One Million Five Hundred Thousand Dollars (\$1,500,000.00) from the Tobacco Settlement Fund of the State Treasury to the Tobacco Cessation and Prevention Revolving Fund.

SECTION 9. The Oklahoma State Department of Health is hereby authorized to expend during the fiscal year ending June 30, 2002, from the Tobacco Settlement Fund of the State Treasury, the sum of Two Hundred Twenty-five Thousand Dollars (\$225,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma State Department of Health by law.

SECTION 10. For the fiscal year ending June 30, 2002, 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	\$6,036,359.00	\$23,051,345.00
Disease and Prevention		
Services	7,410,344.00	30,508,654.00
Family Health	11,763,159.00	94,025,933.00
Community Health		
Services	44,078,976.00	79,256,296.00
Protective Health		
Services	<u>2,412,790.00</u>	<u>19,737,716.00</u>
TOTAL	\$71,701,628.00	\$246,579,944.00

SECTION 11. 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 Eighty-five Thousand Dollars (\$185,000.00) per annum, payable monthly for the fiscal year ending June 30, 2002. The State Department of Health is authorized, 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, 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. The State Department of Health for the fiscal year ending June 30, 2002, 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	2,556.3
Lease-Purchase Agreements	\$500,000.00

SECTION 12. Of the two thousand five hundred fifty-six and three tenths (2,556.3) full-time-equivalent employees authorized in Section 11 of this act, two hundred twenty (220) shall be employed to provide services under the provisions of the Oklahoma Early Intervention Act.

SECTION 13. 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, 2001, 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 14. The State Department of Health shall transfer the sum of Six Million Four Hundred Seventy-seven Thousand Five Hundred Forty-eight Dollars (\$6,477,548.00) from the funds appropriated in Section 91 of Enrolled House Bill No. 1564 of the 1st Session of the 48th Oklahoma Legislature to the Eldercare Revolving Fund. A quarterly financial report for the Eldercare Program specifying how funds have been expended shall be submitted to the State Department of Health by each Eldercare contractor. 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 15. 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 91 of Enrolled House Bill No. 1564 of the 1st Session of the 48th Oklahoma Legislature to the Child Abuse Prevention Fund established pursuant to Section 1-227.8 of Title 63 of the Oklahoma Statutes, to be expended in accordance with law.

SECTION 16. 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 91 of Enrolled House Bill No. 1564 of the 1st Session of the 48th Oklahoma Legislature 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 17. 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 18. From the funds appropriated to the State Department of Health in Section 91 of Enrolled House Bill No. 1564 of the 1st Session of the 48th Oklahoma Legislature, the following categories and amounts shall be expended:

Contractual services of the Margaret Hudson Program for School Age Parents	\$42,977.00
Contractual services of Community Health Centers, Incorporated	197,910.00
Contractual services of the Southeast Area Health Center	197,910.00
Contractual services of the Morton Comprehensive Health Services, Incorporated	456,902.00
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	196,500.00
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 for 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	\$2,572,133.00

SECTION 19. From the funds appropriated to the State Department of Health in Section 91 of Enrolled House Bill No. 1564 of the 1st Session of the 48th Oklahoma Legislature, 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 20. From the funds appropriated to the State Department of Health in Section 91 of Enrolled House Bill No. 1564 of the 1st Session of the 48th Oklahoma Legislature, 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 21. 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 91 of Enrolled House Bill No. 1564 of the 1st Session of the 48th Oklahoma Legislature to the Children First Fund to be expended in accordance with law.

SECTION 22. It is the intent of the Legislature that the funds transferred in Section 21 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 23. There is hereby appropriated to the J.D. McCarty Center for Developmentally Disabled Children from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2002, the sum of One Hundred Thirty-one Thousand Four Hundred Fifty-three Dollars (\$131,453.00) or so much thereof as may be necessary to perform the duties imposed upon the J.D. McCarty Center for Developmentally Disabled Children by law.

SECTION 24. For the fiscal year ending June 30, 2002, 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	\$3,076,630.00	\$8,029,648.00
Children's Recreation		
Program	<u>25,000.00</u>	<u>25,000.00</u>
TOTAL	\$3,101,630.00	\$8,054,648.00

SECTION 25. 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 Seventy Thousand Dollars (\$70,000.00) per annum, payable monthly for the fiscal year ending June 30, 2002. The J.D. McCarty Center for Children with Developmental Disabilities, for the fiscal year ending June 30, 2002, 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 26. 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, 2002, the sum of Ten Million Six Hundred Eighty-eight Thousand Seven Hundred Ninety-four Dollars (\$10,688,794.00) or so much thereof as may be necessary to annualize the Programs for Assertive Community Treatment (PACT), for the Drug Court Program, for Severely Mentally Ill (SMI) citizens in need of services in Eastern and Central Oklahoma, for transitional living services, for severely emotionally disturbed children in need of services through the Systems of Care model or Centers of Excellence, for residential care services, and for community domestic violence programs.

SECTION 27. For the fiscal year ending June 30, 2002, 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	\$7,054,102.00	\$12,615,559.00
Inpatient Hospital	40,251,964.00	54,729,332.00
Community-based Programs	78,710,857.00	102,745,829.00
Substance Abuse Programs	15,686,376.00	45,680,227.00
Domestic Violence		
Programs	4,265,556.00	5,259,388.00
Residential Care		
Programs	<u>3,647,356.00</u>	<u>4,104,070.00</u>
TOTAL	\$149,616,211.00	\$225,134,405.00

SECTION 28. 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-five Thousand Dollars (\$125,000.00) per annum, payable biweekly for the fiscal year ending June 30, 2002. The Department of Mental Health and Substance Abuse Services for the fiscal year ending June 30, 2002, 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, 2002, shall set the reimbursement rate for residential care facilities at a level not to exceed Eight Dollars and sixty-six cents (\$8.66) per mental health resident per day.

SECTION 29. A. The Commissioner of the Oklahoma Department of Mental Health and Substance Abuse Services may request in the manner provided in this section that receipt and expenditure of unanticipated federal funds awarded after July 1, 2001, 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 30. It is the intent of the Legislature that the Department of Mental Health and Substance Abuse Services set aside a minimum of Five Million Seven Hundred Twenty-five Thousand Dollars (\$5,725,000.00) for purchase of clozapine and related blood monitoring costs and medically indicated atypical antipsychotic medications for clients with treatment-resistant schizophrenia. On or before April 1, 2002, the Department of Mental Health and Substance Abuse Services shall prepare and submit a written report to the Speaker of the House of Representatives and the President Pro Tempore of the Senate detailing expenditures for such medications and providing a progress report on each treatment-resistant schizophrenia patient who is a Department of Mental Health and Substance Abuse Services client. The report shall be presented in a manner that does not violate the confidentiality of the patient as established by law. Such medications shall be offered and made available to each institutionalized treatment-resistant schizophrenia patient for whom such medication is medically indicated. The written discharge plan for each institutionalized

treatment-resistant schizophrenic patient shall provide for appropriate case management to be delivered by community mental health centers or such other case management services as may be available to the Department of Mental Health and Substance Abuse Services.

SECTION 31. It is the intent of the Legislature that the Department of Mental Health and Substance Abuse Services set aside a minimum of Two Million Dollars (\$2,000,000.00) for Programs for Assertive Community Treatment (PACT) teams.

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 Programs for Assertive Community Treatment (PACT) teams.

The Department of Mental Health and Substance Abuse Services shall deliver a progress and evaluation report on Programs for Assertive Community Treatment (PACT) teams to the President Pro Tempore of the Senate and the Speaker of the House of Representatives on or before April 1, 2002.

SECTION 32. 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 33. There is hereby appropriated to the University Hospitals Authority from monies not otherwise appropriated from the Special Cash Fund of the State Treasury the sum of Two Million Four Hundred Thousand Dollars (\$2,400,000.00) or so much thereof as may be necessary to perform the duties imposed upon the University Hospitals Authority by law.

1 SECTION 34. There is hereby appropriated to the University
2 Hospitals Authority from any monies not otherwise appropriated from
3 the General Revenue Fund of the State Treasury for the fiscal year
4 ending June 30, 2002, the sum of Nine Million Six Hundred Thousand
5 Dollars (\$9,600,000.00) or so much thereof as may be necessary to
6 perform the duties imposed upon the University Hospitals Authority
7 by law.

8 SECTION 35. The University Hospitals Authority for the fiscal
9 year ending June 30, 2002, shall be subject to the following
10 budgetary limitations, except as may be authorized pursuant to the
11 provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

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

14 OKLAHOMA DEPARTMENT OF VETERANS AFFAIRS

15 SECTION 36. There is hereby appropriated to the Oklahoma
16 Department of Veterans Affairs from any monies not otherwise
17 appropriated from the General Revenue Fund of the State Treasury for
18 the fiscal year ending June 30, 2002, the sum of One Million Seven
19 Hundred Sixty-seven Thousand Five Hundred Seventy-nine Dollars
20 (\$1,767,579.00) or so much thereof as may be necessary to perform
21 the duties imposed upon the Oklahoma Department of Veterans Affairs
22 by law.

23 SECTION 37. The Oklahoma Department of Veterans Affairs is
24 hereby authorized to expend during the fiscal year ending June 30,
25 2002, from the Tobacco Settlement Fund of the State Treasury, the
26 sum of Two Hundred Seventy-five Thousand Dollars (\$275,000.00) or so
27 much thereof as may be necessary to perform the duties imposed upon
28 the Oklahoma Department of Veterans Affairs by law.

29 SECTION 38. For the fiscal year ending June 30, 2002, the
30 Oklahoma Department of Veterans Affairs shall budget all funds in
31 the following categories and amounts:

<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
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1	Central Administration	\$323,350.00	\$5,736,210.00
2	Nursing Care	24,934,462.00	67,527,817.00
3	Claims and Benefits	330,000.00	1,986,751.00
4	Capital Lease	982,829.00	982,829.00
5	State Accrediting		
6	Agency	<u>0.00</u>	<u>329,081.00</u>
7	TOTAL	\$26,570,641.00	\$76,562,688.00

8 SECTION 39. The duties and compensation of employees, not
9 otherwise prescribed by law, necessary to perform the duties imposed
10 upon the Oklahoma Department of Veterans Affairs by law shall be set
11 by the War Veterans Commission of Oklahoma. The salary of the
12 Director shall not exceed Seventy-five Thousand Dollars (\$75,000.00)
13 per annum, payable monthly for the fiscal year ending June 30, 2002.
14 The Oklahoma Department of Veterans Affairs for the fiscal year
15 ending June 30, 2002, shall be subject to the following budgetary
16 limitations, except as may be authorized pursuant to the provisions
17 of Section 3603 of Title 74 of the Oklahoma Statutes:

18	<u>Budgetary Limitation</u>	<u>Amount</u>
19	Full-time-equivalent Employees	1,682.0
20	Lease-Purchase Agreements	\$10,000.00

21 SECTION 40. Appropriations made by this act, not including
22 appropriations made for capital outlay purposes, may be budgeted for
23 the fiscal year ending June 30, 2002 (hereafter FY-02), or may be
24 budgeted for the fiscal year ending June 30, 2003 (hereafter FY-03).
25 Funds budgeted for FY-02 may be encumbered only through June 30,
26 2002, and must be expended by November 15, 2002. Any funds
27 remaining after November 15, 2002, and not budgeted for FY-03, shall
28 lapse to the credit of the proper fund for the then current fiscal
29 year. Funds budgeted for FY-03 may be encumbered only through June
30 30, 2003. Any funds remaining after November 15, 2003, shall lapse
31 to the credit of the proper fund for the then current fiscal year.
32 These appropriations may not be budgeted in both fiscal years

1 simultaneously. Funds budgeted in FY-02, and not required to pay
2 obligations for that fiscal year, may be budgeted for FY-03, after
3 the agency to which the funds have been appropriated has prepared
4 and submitted a budget work program revision removing these funds
5 from the FY-02 budget work program and after such revision has been
6 approved by the Office of State Finance.

7 SECTION 41. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

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12 48-1-7137 SB 6/12/15

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