ENGROSSED HOUSE
BILL NO. 1189

By: Mitchell and Bonny of the House

and

Morgan and Robinson of the Senate

(State Department of Health - appropriation - budgetary exemptions - lapse date - effective date - emergency)

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

SECTION 1. 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, 2004, the sum of _____ Dollars ($0.00) or so much thereof as may be necessary to perform the duties imposed upon the State Department of Health by law.

SECTION 2. For the fiscal year ending June 30, 2004, the State Department of Health shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Support Services	$0.00	$0.00
Disease and Prevention Services	0.00	0.00
Family Health	0.00	0.00
Community Health Services	0.00	0.00
Protective Health Services	0.00	0.00
TOTAL	$0.00	$0.00

Receipt and expenditures of unanticipated federal funds awarded the State Department of Health after July 1, 2003, shall be exempt from expenditure limitations, provided that any such funds used for operations shall be included in the agency's budget work program.

SECTION 3. 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 _____ Dollars ($0.00) per annum, payable monthly for the fiscal year ending June 30, 2004. 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, 2004, 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:

Budgetary Limitation	Amount
Full-time-equivalent Employees	0.00
Lease-Purchase Agreements	$0.00

SECTION 4. Of the _____ (___) full-time-equivalent employees authorized in Section 3 of this act, _____ (____) shall be employed to provide services under the provisions of the Oklahoma Early Intervention Act.

SECTION 5. TRANSFER The State Department of Health shall transfer the sum of _____ Dollars ($0.00) from the funds appropriated in Section 1 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 6. TRANSFER The State Department of Health shall transfer the sum of _____ Dollars ($0.00) from the funds appropriated in Section 1 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 7. TRANSFER The State Department of Health shall transfer the sum of _____ Dollars ($0.00) from the funds appropriated in Section 1 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 8. From the funds appropriated to the State Department of Health in Section 1 of this act, the following categories and amounts shall be expended:

Contractual services of the Margaret Hudson Program for School Age Parents	$0.00
Contractual services of Community Health Centers, Incorporated	0.00
Contractual services of the Southeast Area Health Center	0.00
Contractual services of the Morton Comprehensive Health Services, Incorporated	0.00
Contractual services of the Central Oklahoma Family Medical Center	0.00
Contractual services of the Greenwood Educational and Cultural Center	0.00
Contractual services of Dental for the	

Disabled and Elderly in Need of Treatment (D-Dent)	0.00
Contractual services of the Oklahoma City Indian Clinic	0.00
Contractual services of the College of Osteopathic Medicine of Oklahoma State University for the Area Health Education Centers Campaign	0.00
Contractual services of the Sickle Cell Research Foundation, Incorporated	0.00
Contractual services of the Emerson Teen Parent Program	0.00
Contractual services of the Alzheimer's Research Advisory Council	0.00
Contractual services of the Tolliver Alternative Care Center, Incorporated	0.00
Contractual services for the University of Oklahoma Health Science Center Pediatric Endocrinology Department	0.00
Contractual services of the North Tulsa Heritage Foundation, Incorporated	0.00
Contractual services of the Metropolitan Tulsa Urban League, Incorporated	0.00
Contractual services of the Dunjee All-School Association, Incorporated	0.00
Contractual services of the Alzheimer’s Association, Oklahoma Chapter	0.00
Contractual services of the Indian Health Care Resource Center of Tulsa	0.00
TOTAL	$0.00

SECTION 9. From the funds appropriated to the State Department of Health in Section 1 of this act, the amount of _____ Dollars

($0.00) 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	$0.00
Contractual services with the Perinatal Continuing Education Program within the Department of Obstetrics and Gynecology of the University of Oklahoma College of Medicine	$0.00
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	$0.00

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 10. The State Department of Health shall transfer the sum of _____ Dollars ($0.00) from the funds appropriated in Section 1 of this act to the Children First Fund to be expended in accordance with law.

SECTION 11. It is the intent of the Legislature that the funds transferred in Section 10 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.

SECTION 12. 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, 2002, 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 Budget and Program Oversight within eighteen (18) calendar days of receiving the request.

SECTION 13. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2004 (hereafter FY-04) or may be budgeted for the fiscal year ending June 30, 2005 (hereafter FY-05). Funds budgeted for FY-04 may be encumbered only through June 30, 2004, and must be expended by November 15, 2004. Any funds remaining after November 15, 2004, and not budgeted for FY-05, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-05 may be encumbered only through June 30, 2005. Any funds remaining after November 15, 2005, 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-04, and not required to pay obligations for that fiscal year, may be budgeted for FY-05, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-04 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 14. This act shall become effective July 1, 2003.

SECTION 15. 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.

Passed the House of Representatives the 4th day of March, 2003.

_____
Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2003.

_____
Presiding Officer of the Senate