

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL 121

By: Morgan and Crutchfield of
the Senate

and

Benge and Newport of the
House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the Oklahoma Health Care Authority; making appropriations; stating purposes; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing for duties and compensation of employees; limiting the salary of the Administrator; authorizing payment of certain expenses of the Administrator and certain other employees of the Authority; authorizing payment of certain expenses; authorizing the employing of certain attorneys; prohibiting certain increases in budgetary limits; providing budgetary limitations; exempting certain full-time equivalent employees from budgetary limits; providing procedures for exempting certain funds from expenditure and budgetary limitations; requiring certain filings and approvals; providing for certain notifications; requiring certain approvals; providing exceptions; requiring and authorizing the transfer of certain funds for certain purposes; providing procedures; authorizing the expenditure of previously appropriated funds for certain purpose; requiring the keeping of certain records; authorizing certain requests relating to early transfers; making certain funds not subject to fiscal year limitations but available for encumbrance and expenditure for certain time period; requiring and prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

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

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, 2006, the sum of Five Hundred Fifty-three Million Four Hundred Eighty-one Thousand Eight Hundred Sixty-four Dollars

(\$553,481,864.00) 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 Five Million Dollars (\$5,000,000.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Health Care Authority by law.

SECTION 3. There is hereby appropriated to the Oklahoma Health Care Authority, from any monies not otherwise appropriated from the Tobacco Settlement Fund of the State Treasury for the fiscal year ending June 30, 2006, the sum of Thirteen Million Three Hundred Four Thousand Four Hundred Ninety-one Dollars (\$13,304,491.00) or so much thereof as may be necessary to perform the duties imposed upon the Oklahoma Health Care Authority by law.

SECTION 4. For the fiscal year ending June 30, 2006, 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	\$ 13,540,345.00	\$ 32,769,481.00
Medicaid Payments	542,924,008.00	3,322,319,038.00
Medicaid Contracted Services	15,232,620.00	49,953,043.00
Rehabilitation Services	0.00	50,000.00
OSA Non-Title XIX Medical	0.00	22,385,710.00
Non-Title XIX Medical	<u>89,382.00</u>	<u>89,382.00</u>
TOTAL	\$571,786,355.00	\$3,427,566,654.00

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

SECTION 5. 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 of the Oklahoma Health Care Authority.

B. The salary of the Administrator shall not exceed One Hundred Twenty-seven Thousand One Hundred Dollars (\$127,100.00) per annum, payable monthly for the fiscal year ending June 30, 2006.

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 any Oklahoma licensed physician, including dues, licenses, professional memberships, continuing medical education classes conducted in the State of Oklahoma, and malpractice insurance, provided the physician is a state employee of the Authority in accordance with subsection B of Section 5006 of Title 63 of the Oklahoma Statutes or paragraph 1 of subsection B of Section 840-5.5 of Title 74 of the Oklahoma Statutes and utilizing those professional skills in the performance of their job duties; and

3. 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, 2006, 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	397.5
Lease-Purchase Agreements	\$0.00

Full-time equivalent employees solely paid by grant funds will not count against the agency's budgetary limitation as specified in this section.

SECTION 6. 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, 2005, 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 7. 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, 2006, may be

transferred to these disbursing funds for the fiscal year ending June 30, 2005, 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, 2005, to the disbursing fund for the fiscal year ending June 30, 2006, 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 inter-year transfers.

SECTION 8. 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 9. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2006 (hereafter FY-06), or may be budgeted for the fiscal year ending June 30, 2007 (hereafter FY-07). Funds budgeted for FY-06 may be encumbered only through June 30, 2006, and must be expended by November 15, 2006. Any funds remaining after November 15, 2006, and not budgeted for FY-07, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-07 may be encumbered only through June 30, 2007. Any funds remaining after November 15, 2007, 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-06, and not required to pay obligations for that fiscal year, may be budgeted for FY-07, 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-06 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 10. This act shall become effective July 1, 2005.

SECTION 11. 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.

50-1-1863

ADS

6/13/2015 1:13:38 AM