

ENROLLED HOUSE
BILL NO. 1082

By: Bengé and Newport of the
House

and

Morgan and Crutchfield of
the Senate

An Act relating to the State Department of Health; making an appropriation thereto; stating purpose; requiring budgeting in certain categories and amounts; requiring certain performance measures; providing certain exemptions; providing for duties and compensation of employees; authorizing payment of certain expenses of Commissioner under certain conditions; specifying certain budgetary limitations; requiring employment of certain persons for certain program; requiring transfer of certain funds; requiring certain expenditures; specifying certain expenditures; requiring certain reimbursement contracts; specifying entities authorized to perform contracts; imposing certain requirements related to contracts; requiring certain supporting data as condition for reimbursement; requiring methodology; providing for implementation date for methodology; providing for expenditure of certain amount; stating legislative intent; requiring annual progress report; requiring certain budget procedures; providing lapse date; 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 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, 2006, the sum of Sixty-one Million Seven Hundred Ninety Thousand Eight Hundred Nineteen Dollars (\$61,790,819.00) 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, 2006, 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 Services	\$ 3,914,832.00	\$ 30,000,000.00
Disease and Prevention Services	8,553,250.00	82,000,000.00

Family Health	12,683,606.00	101,000,000.00
Community Health Services	32,275,538.00	81,000,000.00
Protective Health Services	<u>4,363,593.00</u>	<u>56,000,000.00</u>
TOTAL	\$61,790,819.00	\$350,000,000.00

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

Receipt and expenditures of unanticipated federal funds awarded to the State Department of Health after July 1, 2005, shall be exempt from expenditure and budgetary 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 One Hundred Eighty-five Thousand Dollars (\$185,000.00) per annum, payable monthly for the fiscal year ending June 30, 2006. 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, 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	2,540.0
Lease-Purchase Agreements	\$500,000.00

SECTION 4. Of the two thousand five hundred forty (2,540.0) full-time-equivalent employees authorized in Section 3 of this act, two hundred fifty-four (254) 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 Two Million Six Hundred Eighty-six Thousand Four Hundred Eighty-two Dollars (\$2,686,482.00) 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 6. TRANSFER The State Department of Health shall transfer the sum of One Hundred Thirteen Thousand Nine Hundred Seventy Dollars (\$113,970.00) 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 7. 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	\$ 34,091.00
Contractual services of the Oklahoma Health Care Project	39,661.00
Contractual services of the Oklahoma Institute for Child Advocacy	75,000.00
Contractual services of the Greenwood Educational and Cultural Center	118,985.00
Contractual services of Dental for the Disabled and Elderly in Need of Treatment (D-Dent)	136,764.00
Contractual services of the Hearts for Hearing Foundation	200,000.00
Contractual services of the College of Osteopathic Medicine of Oklahoma State University for the Area Health Education Centers Campaign	364,887.00
Contractual services of the Sickie Cell Research Foundation, Incorporated	182,662.00
Contractual services of the Emerson Teen Parent Program	107,372.00
Contractual services of the Alzheimer's Research Advisory Council	44,005.00
Contractual services of the Tolliver Alternative Care Center, Incorporated	36,965.00
Contractual services for the University of Oklahoma Health Sciences Center Pediatric Endocrinology Department	93,205.00
Contractual services of the Emergency Medical Services Authority for establishment and operation of a trauma transfer and referral center	400,000.00
Contractual services of the North Tulsa Heritage Foundation, Incorporated	35,695.00
Contractual services of the Metropolitan Tulsa Urban League, Incorporated	39,195.00
Contractual services of the Alzheimer's Association, Oklahoma Chapter	7,932.00
Contractual services of the Oklahoma Economic Development Association for	

Advantage services in Beaver,
Cimarron, and Texas counties 18,500.00

TOTAL \$1,934,919.00

SECTION 8. From the funds appropriated to the State Department of Health in Section 1 of this act, the amount of Two Million Four Hundred Sixty-three Thousand Five Hundred Seventy-seven Dollars (\$2,463,577.00) 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 \$2,254,148.00

Contractual services with the Perinatal
Continuing Education Program within the
Department of Obstetrics and Gynecology of the
University of Oklahoma College of Medicine \$209,429.00

SECTION 9. From the funds appropriated to the State Department of Health in Section 1 of this act, One Million Two Hundred Forty-one Thousand One Hundred Twenty Dollars (\$1,241,120.00) shall be expended in the following manner. It is the intent of the Legislature that the amount of One Million Forty-one Thousand One Hundred Twenty Dollars (\$1,041,120.00) shall be expended by reimbursement contract to community health centers (CHCs) authorized under Section 330 of the Public Health Services Act deemed as Federally Qualified Health Centers (FQHC), and incorporated in the State of Oklahoma. Any contracted reimbursement shall be solely for the provision of uncompensated care costs associated with the delivery of primary health care to uninsured patients as regulated by 42 CFR, Chapter 1, part 51c and all applicable current and future subparts and sections. Any contracted reimbursement shall be supported by data contained within the annually submitted Federal Uniform Data System Report and supporting documentation as specified by the State Department of Health within the contract. The methodology for reimbursement shall be developed by the Primary Care Office within the Community Health Development Service of the State Department of Health with the approval of the Commissioner of Health. The State Board of Health is authorized to promulgate the methodology into rules. The amount of Two Hundred Thousand Dollars (\$200,000.00) may be expended by the State Department of Health, Office of Primary Care and Rural Health Development within the Community Health Development Service, for the purpose of assisting no less than twelve Oklahoma communities in the development and submission of Section 330 federal grant applications to establish no less than four new Federally Qualified Health Centers. Funding shall be utilized in a manner consistent with assuring the highest probability of federal selection and award, and shall provide financial assistance to the newly started centers and in a manner determined by the State Department of Health as to the appropriate method for expending said funds.

SECTION 10. From the funds appropriated to the State Department of Health in Section 1 of this act, Seventy Thousand Dollars (\$70,000.00) shall be expended by reimbursement contract to Eastern Oklahoma Donated Dental Services (EODDS). It is the intent of the Legislature that Eastern Oklahoma Donated Dental Services shall be

the contracted provider of donated dental services in Tulsa and Rogers County.

SECTION 11. It is the intent of the Legislature that the Children First Program 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. 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 13. This act shall become effective July 1, 2005.

SECTION 14. 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 20th day of May, 2005.

Presiding Officer of the House of
Representatives

Passed the Senate the 24th day of May, 2005.

Presiding Officer of the Senate