STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 2226___ By: Benge and Newport of the House

and

Crutchfield and Kerr of the Senate

AS INTRODUCED

An Act relating to the State Department of Health; making an appropriation; stating purpose; providing for duties and compensation of employees; limiting salary of the Commissioner; authorizing payment of certain expenses of Commissioner under certain conditions; specifying compliance with and providing for certain budgetary limitations; exempting certain funds from expenditure and budgetary limitations; requiring employment of certain persons for certain program; authorizing transfers of certain funds; requiring budgeting in certain categories and amounts; requiring certain funds to be used to establish certain programs; requiring certain reports; providing for certain contracts; providing for legislative intent; defining term; providing for contents of certain report; requiring compliance of certain program with state plan; requiring certain reports; requiring certain contracts for evaluations; requiring compliance; providing lapse dates; 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 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, 2007, 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, 2007, 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 to the State Department of Health after July 1, 2006, 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 _____ Dollars ($0.00) per annum, payable monthly for the fiscal year ending June 30, 2007. 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, 2007, 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 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 _____ 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 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	$0.00
Contractual services of the Oklahoma Health Care Project	0.00
Contractual services of the Oklahoma Institute for Child Advocacy	0.00
Contractual services of the Emergency Medical Services Authority for operation of a trauma transfer and	

referral 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 Hearts for Hearing Foundation	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 Eastern Oklahoma Donated Dental Services (EODDS)	0.00
Contractual services of the Alzheimer’s Association, Oklahoma Chapter	0.00
Contractual services of the Oklahoma	

Economic Development Association for
Advantage services in Beaver, Cimarron,
and Texas counties 0.00

TOTAL $0.00

SECTION 8. 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 delineated 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 9. From the funds appropriated to the State Department of Health in Section 1 of this act, _____ Dollars ($0.00) shall be expended by reimbursement contract to community health centers (CHCs) authorized under Section 330 of the Public Health Service Act deemed as a Federally Qualified Health Center (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 (UDS). The appropriated amount shall be equitably disbursed to community health centers in accordance with a methodology based on actual unreimbursed costs for uninsured client encounters. 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.

SECTION 10. 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 11. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2007 (hereafter FY-07) or may be budgeted for the fiscal year ending June 30, 2008 (hereafter FY-08). Funds budgeted for FY-07 may be encumbered only through June 30, 2007, and must be expended by November 15, 2007. Any funds remaining after November 15, 2007, and not budgeted for FY-08, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-08 may be encumbered only through June 30, 2008. Any funds remaining after November 15, 2008, 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-07, and not required to pay obligations for that fiscal year, may be budgeted for FY-08, 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-07 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 12. This act shall become effective July 1, 2006.

SECTION 13. 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.

50-2-15572 MN 12/23/05