

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 708

By: Wilson

AS INTRODUCED

An Act relating to public health; providing legislative findings regarding Federally Qualified Health Centers; requiring compliance with certain requirements; requiring certain boards of directors be subject to the Oklahoma Open Meeting Act; providing penalty and enforcement; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-173.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Legislature finds as follows:

1. That as providers of health care to medically underserved populations, Federally Qualified Health Centers (FQHC) are extremely beneficial to the citizens of Oklahoma;

2. That Federally Qualified Health Centers are entities that exist through grants of funds by the Bureau of Primary Health Care (BPHC) under section 330 of the Public Health Service Act as amended by the Health Centers Consolidation Act of 1996;

3. That the receipt of federal grants is dependant upon compliance with federal statutes, regulations and policies regarding the mission, programs, governance, management and financial responsibilities of such entities; and

4. That in addition to federal grant monies, Federally Qualified Health Centers in Oklahoma receive additional monies through the appropriation of state funds.

B. In an effort to maintain the presence of Federally Qualified Health Centers in Oklahoma and reduce the possibility of jeopardizing federal funding for such entities, all Federally Qualified Health Centers in Oklahoma shall be required to:

1. Remain in compliance at all times with the federal statutes, regulations and polices governing their existence; and

2. Follow their own bylaws, adopted in compliance with the federal statutes, regulations and polices governing such, including, but not limited to, provisions regarding composition of and functions and responsibilities of the board of directors.

C. Further, the board of directors of a Federally Qualified Health Center shall be considered a public body for purposes of the Oklahoma Open Meeting Act and is thereby subject to the provisions of that act.

D. Notwithstanding any other provision, the State Health Department shall enforce this act by not contracting to reimburse for uncompensated care costs, as is provided for by funds appropriated to the Department, with those entities found to be in violation of the requirements provided for by this act.

SECTION 2. 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.

50-1-831

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