

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 1227

By: Benge and Miller of the
House

and

7 Crutchfield, Johnson
8 (Mike), Adelson and Myers
9 of the Senate

10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to the State Department of Health;
12 providing for duties and compensation of employees;
13 limiting salary of the Commissioner; authorizing
14 payment of certain expenses of Commissioner under
15 certain conditions; specifying compliance with and
16 providing for certain budgetary limitations;
17 exempting certain funds from expenditure and
18 budgetary limitations; requiring employment of
19 certain persons for certain program; authorizing
20 transfers of certain funds; requiring budgeting in
21 certain categories and amounts; requiring certain
22 funds to be used to establish certain programs;
23 requiring certain reports; providing for certain
24 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.

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

2 SECTION 1. For the fiscal year ending June 30, 2008, the State
3 Department of Health shall budget all funds in the following
4 categories and amounts:

5	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
6	Support Services	\$ 4,344,112.00	\$ 42,000,000.00
7	Disease and Prevention		
8	Services	10,039,932.00	75,000,000.00
9	Family Health	15,475,025.00	118,000,000.00
10	Community Health		
11	Services	35,399,645.00	92,000,000.00
12	Protective Health		
13	Services	<u>8,527,429.00</u>	<u>57,000,000.00</u>
14	TOTAL	\$73,786,143.00	\$384,000,000.00

15 Receipt and expenditures of unanticipated federal funds awarded
16 to the State Department of Health after July 1, 2007, shall be
17 exempt from expenditure and budgetary limitations, provided that any
18 such funds used for operations shall be included in the agency's
19 budget work program.

20 SECTION 2. The duties and compensation of employees, not
21 otherwise prescribed by law, necessary to perform the duties imposed
22 upon the State Department of Health by law shall be set by the State
23 Commissioner of Health. The salary of the State Commissioner of
24 Health shall not exceed One Hundred Ninety-four Thousand Two Hundred

1 Fifty Dollars (\$194,250.00) per annum, payable monthly for the
2 fiscal year ending June 30, 2008. The State Department of Health is
3 authorized, provided that the Commissioner of Health possesses a
4 Doctor of Medicine Degree or a Doctor of Osteopathy Degree and a
5 license to practice medicine in this state, to pay the professional
6 expenses of the Commissioner of Health, including dues, licenses,
7 professional memberships, continuing medical education classes
8 conducted in the State of Oklahoma, and medical malpractice
9 insurance. The State Department of Health for the fiscal year
10 ending June 30, 2008, shall be subject to the following budgetary
11 limitations, except as may be authorized pursuant to the provisions
12 of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
14 Full-time-equivalent Employees	2,530.00
15 Lease-Purchase Agreements	\$500,000.00

16 SECTION 3. Of the two thousand five hundred thirty (2,530.0)
17 full-time-equivalent employees authorized in Section 2 of this act,
18 two hundred fifty-four (254.0) shall be employed to provide services
19 under the provisions of the Oklahoma Early Intervention Act.

20 SECTION 4. TRANSFER The State Department of Health shall
21 transfer the sum of Three Million Three Hundred Thirty-six Thousand
22 Four Hundred Eighty-two Dollars (\$3,336,482.00) from the funds
23 appropriated in Section 80 of Enrolled Senate Bill No. 334 of the
24 1st Session of the 51st Oklahoma Legislature to the Child Abuse

1 Prevention Fund established pursuant to Section 1-227.8 of Title 63
2 of the Oklahoma Statutes, to be expended in accordance with law.

3 SECTION 5. TRANSFER The State Department of Health shall
4 transfer the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00)
5 from the funds appropriated in Section 80 of Enrolled Senate Bill
6 No. 334 of the 1st Session of the 51st Oklahoma Legislature to the
7 Dental Loan Repayment Revolving Fund established pursuant to Section
8 2 of Enrolled Senate Bill No. 455 of the 1st Session of the 51st
9 Oklahoma Legislature, to be expended in accordance with law.

10 SECTION 6. TRANSFER The State Department of Health shall
11 transfer the sum of One Hundred Thirteen Thousand Nine Hundred
12 Seventy Dollars (\$113,970.00) from the funds appropriated in Section
13 80 of Enrolled Senate Bill No. 334 of the 1st Session of the 51st
14 Oklahoma Legislature to the Kidney Health Revolving Fund established
15 pursuant to Section 1-2603 of Title 63 of the Oklahoma Statutes, to
16 be expended in accordance with law.

17 SECTION 7. TRANSFER The State Department of Health
18 shall transfer the sum of Thirty-nine Thousand Six Hundred Sixty-one
19 Dollars (\$39,661.00) from the funds appropriated in Section 80 of
20 Enrolled Senate Bill No. 334 of the 1st Session of the 51st Oklahoma
21 Legislature to the Alternatives-to-Abortion Services Revolving Fund
22 established pursuant to Section 1-740.12 of Title 63 of the Oklahoma
23 Statutes, to be expended in accordance with law.

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1 SECTION 8. TRANSFER The State Department of Health shall
2 transfer the sum of Three Million Dollars (\$3,000,000.00) from the
3 funds appropriated in Section 80 of Enrolled Senate Bill No. 334 of
4 the 1st Session of the 51st Oklahoma Legislature to the Oklahoma
5 Institute for Disaster and Emergency Medicine Revolving Fund
6 established pursuant to Section 1-2523 of Title 63 of the Oklahoma
7 Statutes, to be expended in accordance with law.

8 SECTION 9. From the funds appropriated to the State Department
9 of Health in Section 80 of Enrolled Senate Bill No. 334 of the 1st
10 Session of the 51st Oklahoma Legislature, the following categories
11 and amounts shall be expended:

12	Contractual services of the Margaret	
13	Hudson Program for School Age Parents	\$34,091.00
14	Contractual services of the Emerson	
15	Teen Parent Program	107,372.00
16	Contractual services of the Oklahoma	
17	Institute for Child Advocacy	75,000.00
18	Contractual services of Dental for the	
19	Disabled and Elderly in Need of	
20	Treatment (D-DENT)	136,764.00
21	Contractual services of the Hearts for	
22	Hearing Foundation	200,000.00
23	Contractual services of the College of	
24	Osteopathic Medicine of Oklahoma	

1	State University for the Area Health	
2	Education Centers Campaign	564,887.00
3	Contractual services of the Sickle Cell	
4	Research Foundation, Incorporated	182,662.00
5	Contractual services of the Alzheimer's	
6	Association, Oklahoma Chapter	7,932.00
7	Contractual services of the University	
8	of Oklahoma Health Sciences Center,	
9	Department of Pathology	44,005.00
10	Contractual services of the Tolliver	
11	Alternative Care Center, Incorporated	36,965.00
12	Contractual services for the University	
13	of Oklahoma Health Sciences Center	
14	Pediatric Endocrinology Department	93,205.00
15	Contractual services of the Emergency	
16	Medical Services Authority for	
17	establishment and operation of a	
18	trauma transfer and referral center	400,000.00
19	Contractual services of the North Tulsa	
20	Heritage Foundation, Incorporated	35,695.00
21	Contractual services of the Metropolitan	
22	Tulsa Urban League, Incorporated	39,195.00
23	Contractual services of the Greenwood	
24	Educational and Cultural Center	118,985.00

1	Contractual services of the Oklahoma	
2	Dental Foundation	100,000.00
3	Contractual services of the University	
4	of Oklahoma College of Medicine -	
5	Tulsa	400,000.00
6	Contractual services of the College of	
7	Osteopathic Medicine of Oklahoma	
8	State University	500,000.00
9	Contractual services of the Oklahoma	
10	Economic Development Association	18,500.00
11	Contractual services of the Oklahoma	
12	State Board of Examiners for Long	
13	Term Care Administrators	<u>347,000.00</u>
14	TOTAL	\$3,442,258.00

15 SECTION 10. From the funds appropriated to the State Department
16 of Health in Section 80 of Enrolled Senate Bill No. 334 of the 1st
17 Session of the 51st Oklahoma Legislature, the amount of Two Million
18 Four Hundred Sixty-three Thousand Five Hundred Seventy-seven Dollars
19 (\$2,463,577.00) shall be used for providing perinatal, women's and
20 children's services for low-income persons statewide.

21 Direct services for maternal and child
22 health and to encourage early entry of
23 high-risk clients into the health care
24 system

\$2,254,148.00

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

6 SECTION 11. A. From the funds appropriated to the State
7 Department of Health in Section 80 of Enrolled Senate Bill No. 334
8 of the 1st Session of the 51st Oklahoma Legislature, Two Million
9 Forty-one Thousand One Hundred Twenty Dollars (\$2,041,120.00) shall
10 be expended in the following manner. It is the intent of the
11 Legislature that the amount of One Million Three Hundred Forty-one
12 Thousand One Hundred Twenty Dollars (\$1,341,120.00) shall be
13 disbursed to community health centers (CHCs) authorized under
14 Section 330 of the Public Health Services Act deemed as Federally
15 Qualified Health Centers (FQHC), and incorporated in the State of
16 Oklahoma. Any disbursement shall be solely for the reimbursement of
17 uncompensated care costs associated with the delivery of primary
18 health care to uninsured patients as regulated by 42 CFR, Chapter 1,
19 Part 51c and all applicable current and future subparts and
20 sections. Any disbursement shall be supported by data contained
21 within the annually submitted Federal Uniform Data System Report and
22 supporting documentation as specified by the State Department of
23 Health within the contract. The methodology for disbursement shall
24 be developed by the Primary Care Office within the Community Health

1 Development Service of the State Department of Health with the
2 approval of the Commissioner of Health. The State Board of Health
3 is authorized to promulgate the methodology into rules. The amount
4 of Seven Hundred Thousand Dollars (\$700,000.00) shall be expended as
5 follows: the State Department of Health, Office of Primary Care and
6 Rural Health Development within the Community Health Development
7 Service, for the following purpose: Assist Oklahoma communities in
8 the development and necessary technical assistance to assure the
9 submission of Section 330 federal grant applications to establish
10 new Federally Qualified Health Centers (FQHCs) and/or Federally
11 Qualified Look-A-Like community health centers, as defined by 42
12 U.S.C., Section 1396d(1)(2)(B) including:

13 1. Contracts to provide for community planning and development
14 necessary for establishing federally funded community health centers
15 (FQHCs) and/or Federally Qualified Look-A-Like centers; and

16 2. Contracts to provide for grant development to assist
17 communities in application submission for federal funding to
18 establish and/or expand FQHC services; and

19 3. Contracts for specified technical assistance to Section 330
20 federally granted FQHCs having received their initial federal awards
21 after July 1, 2006; and

22 4. Contracts for operational support to community health
23 centers having received FY-2006 state funds to establish FQHC Look-
24 A-Like designation.

1 B. The State Department of Health is authorized to accept
2 donations of land, property, buildings, equipment and gifts of money
3 or other objects of value for the purpose of establishing or
4 expanding Federally Qualified Health Centers.

5 C. The State Department of Health is authorized to utilize
6 grant funds, donations and other funds made available to the
7 Department for the purpose of establishing or expanding Federally
8 Qualified Health Centers, to the extent funds are available.

9 SECTION 12. From the funds appropriated to the State Department
10 of Health in Section 80 of Enrolled Senate Bill No. 334 of the 1st
11 Session of the 51st Oklahoma Legislature, Seventy Thousand Dollars
12 (\$70,000.00) shall be expended by reimbursement contract to Eastern
13 Oklahoma Donated Dental Services (EODDS). It is the intent of the
14 Legislature that Eastern Oklahoma Donated Dental Services shall be
15 the contracted provider of donated dental services in Tulsa and
16 Rogers Counties.

17 SECTION 13. It is the intent of the Legislature that the
18 Children First Program shall comply with the uniform components of
19 the State Plan for the Prevention of Child Abuse. The State
20 Department of Health shall contract with a university-related
21 program for a performance-based evaluation of programs. Program
22 sites shall fully cooperate and comply with the evaluation process
23 and sites shall provide weekly caseload and referral information to
24 the State Department of Health.

1 An annual progress and evaluation report on the Children First
2 Program shall be delivered to the President Pro Tempore of the
3 Senate, the Speaker of the House of Representatives and the
4 Governor.

5 SECTION 14. Appropriations made by Section 80 of Enrolled
6 Senate Bill No. 334 of the 1st Session of the 51st Oklahoma
7 Legislature, not including appropriations made for capital outlay
8 purposes, may be budgeted for the fiscal year ending June 30, 2008
9 (hereafter FY-08) or may be budgeted for the fiscal year ending June
10 30, 2009 (hereafter FY-09). Funds budgeted for FY-08 may be
11 encumbered only through June 30, 2008, and must be expended by
12 November 15, 2008. Any funds remaining after November 15, 2008, and
13 not budgeted for FY-09, shall lapse to the credit of the proper fund
14 for the then current fiscal year. Funds budgeted for FY-09 may be
15 encumbered only through June 30, 2009. Any funds remaining after
16 November 15, 2009, shall lapse to the credit of the proper fund for
17 the then current fiscal year. These appropriations may not be
18 budgeted in both fiscal years simultaneously. Funds budgeted in FY-
19 08, and not required to pay obligations for that fiscal year, may be
20 budgeted for FY-09, after the agency to which the funds have been
21 appropriated has prepared and submitted a budget work program
22 revision removing these funds from the FY-08 budget work program and
23 after such revision has been approved by the Office of State
24 Finance.

1 SECTION 15. This act shall become effective July 1, 2007.

2 SECTION 16. It being immediately necessary for the preservation
3 of the public peace, health and safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval.

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7 51-1-15279 MN 05/17/07

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