

1 ENGROSSED SENATE
2 BILL NO. 1595

By: Nichols of the Senate
and
Terrill of the House

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7 [public health and safety - Office of Accountability
8 Systems to perform certain duties -
9 effective date]

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

12 SECTION 1. AMENDATORY Section 1, Chapter 101, O.S.L.
13 2006 (63 O.S. Supp. 2007, Section 1-105f), is amended to read as
14 follows:

15 Section 1-105f. A. The Office of Accountability Systems of the
16 State Department of Health (OAS) shall have the authority to:

17 1. Coordinate audits and investigations and make reports to the
18 State Board of Health and State Commissioner of Health within the
19 State Department of Health and State Health Officer relating to the
20 administration of programs and operations of the State Department of
21 Health;

22 2. Except as otherwise prohibited by current law, access all
23 records, reports, audits, reviews, documents, papers,
24 recommendations, or other material which relate to programs and

1 operations with respect to which the Director of the Office of
2 Accountability Systems has responsibilities;

3 3. Request assistance from other state, federal and local
4 government agencies;

5 4. Issue subpoenas for the production of all information,
6 documents, reports, answers, records, accounts, papers, and other
7 data and documentary evidence that is in the custody or control of
8 the State Department of Health;

9 5. Administer to or take from any current or former employee of
10 the State Department of Health an oath, affirmation, or affidavit;

11 6. Receive and investigate complaints or information from an
12 employee of the Department, service recipient or member of the
13 public concerning the possible existence of an activity within the
14 State Department of Health constituting a violation of law, rules or
15 regulations, mismanagement, gross waste of funds, abuse of authority
16 or a substantial and specific danger to the public health and
17 safety;

18 7. Cause to be issued on behalf of OAS credentials, including
19 an identification card with the State Seal; and

20 8. Keep confidential all actions and records relating to OAS
21 complaints.

22 B. It shall be the duty and responsibility of the Director and
23 staff of the Office of Accountability Systems to:

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1 1. Keep the State Board of Health and the State Commissioner of
2 Health fully informed of matters relating to fraud, abuses,
3 deficiencies and other serious problems of which the Director is
4 aware relating to the administration of programs and operations
5 within the State Department of Health. Further, the Director shall
6 recommend corrective action concerning such matters and report to
7 the State Board of Health and the State Commissioner of Health on
8 the progress of the corrective matters;

9 2. Report to and be under the direct supervision of the State
10 Board of Health. Unless otherwise directed by the State Board of
11 Health, the Director shall report to and be under the general
12 supervision of the State Commissioner of Health, but shall not be
13 subject to supervision or report to any other State Department of
14 Health employee. Unless otherwise instructed by the State Board of
15 Health, staff of the Office of Accountability Systems and
16 independent contractors performing internal investigative services
17 for the Office of Accountability Systems shall be directly
18 supervised by the Director of the Office of Accountability Systems
19 and not subject to the supervision of or required to report to any
20 other State Department of Health employee. Neither the State
21 Commissioner of Health nor any other employee of the State
22 Department of Health shall prevent, prohibit, or obstruct the
23 Director from initiating, implementing or completing any

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1 investigation or from issuing any subpoena during the course of an
2 investigation or audit regarding the State Department of Health; and

3 3. Report expeditiously to the appropriate law enforcement
4 entity whenever the Director has reasonable grounds to believe that
5 there has been a felonious violation of state or federal criminal
6 law.

7 SECTION 2. This act shall become effective November 1, 2008.

8 Passed the Senate the 12th day of March, 2008.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the ____ day of _____,

13 2008.

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Presiding Officer of the House
of Representatives

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