

THE HOUSE OF REPRESENTATIVES
Wednesday, April 9, 2008

Committee Substitute for
ENGROSSED
Senate Bill No. 1595

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 1595 - By:
NICHOLS of the Senate and TERRILL of the House.

An Act relating to public health and safety; Section 1, Chapter 101, O.S.L. 2006 (63 O.S. Supp. 2007, Section 1-105f), which relates to the Office of Accountability Systems; authorizing the staff of the Office of Accountability Systems to perform certain duties; directing certain supervision; and declaring an emergency.

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

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

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

5 1. Coordinate audits and investigations and make reports to the State Board of
6 Health and State Commissioner of Health within the State Department of Health and
7 State Health Officer relating to the administration of programs and operations of the
8 State Department of Health;

9 2. Except as otherwise prohibited by current law, access all records, reports, audits,
10 reviews, documents, papers, recommendations, or other material which relate to

1 programs and 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 government agencies;

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

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

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

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

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

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

19 1. Keep the State Board of Health and the State Commissioner of Health fully
20 informed of matters relating to fraud, abuses, deficiencies and other serious problems of
21 which the Director is aware relating to the administration of programs and operations
22 within the State Department of Health. Further, the Director shall recommend

1 corrective action concerning such matters and report to the State Board of Health and
2 the State Commissioner of Health on the progress of the corrective matters;

3 2. Report to and be under the direct supervision of the State Board of Health.

4 Unless otherwise directed by the State Board of Health, the Director shall report to and
5 be under the general supervision of the State Commissioner of Health, but shall not be
6 subject to supervision or report to any other State Department of Health employee.

7 Unless otherwise instructed by the State Board of Health, staff of the Office of
8 Accountability Systems and independent contractors performing internal investigative
9 services for the Office of Accountability Systems shall be directly supervised by the
10 Director of the Office of Accountability Systems and not subject to the supervision of or
11 required to report to any other State Department of Health employee. Neither the State
12 Commissioner of Health nor any other employee of the State Department of Health shall
13 prevent, prohibit, or obstruct the Director from initiating, implementing or completing
14 any investigation or from issuing any subpoena during the course of an investigation or
15 audit regarding the State Department of Health; and

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

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

1 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 04-08-08 - DO
2 PASS, As Amended.