

SB 1595

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THE STATE SENATE
Monday, February 25, 2008

Senate Bill No. 1595
As Amended

SENATE BILL NO. 1595 - By: NICHOLS of the Senate and TERRILL of the House.

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

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

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

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

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

2. Except as otherwise prohibited by current law, access all records, reports, audits, reviews, documents, papers, recommendations, or other material which relate to programs and operations with respect to which the Director of the Office of Accountability Systems has responsibilities;

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

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

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

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

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

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

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

22 1. Keep the State Board of Health and the State Commissioner of
23 Health fully informed of matters relating to fraud, abuses,

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

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

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

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

6 COMMITTEE REPORT BY: COMMITTEE ON HEALTH & HUMAN RESOURCES, dated
7 2-14-08 - DO PASS, As Amended and Coauthored.