

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2387

By: Bengé and Miller of the  
House

4 and

5 Crutchfield, Johnson  
6 (Mike), Adelson and Myers  
7 of the Senate

8  
9 AS INTRODUCED

10 An Act relating to the State Department of Health;  
11 making an appropriation; stating purpose; providing  
12 for duties and compensation of employees; limiting  
13 salary of the Commissioner; authorizing payment of  
14 certain expenses of Commissioner under certain  
15 conditions; specifying compliance with and providing  
16 for certain budgetary limitations; exempting certain  
17 funds from expenditure and budgetary limitations;  
18 requiring employment of certain persons for certain  
19 program; authorizing transfers of certain funds;  
20 requiring budgeting in certain categories and  
21 amounts; requiring certain funds to be used to  
22 establish certain programs; requiring certain  
23 reports; providing for certain contracts; providing  
24 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. There is hereby appropriated to the State Department  
3 of Health from any monies not otherwise appropriated from the  
4 General Revenue Fund of the State Treasury for the fiscal year  
5 ending June 30, 2009, the sum of \_\_\_\_\_ Dollars (\$0.00) or so  
6 much thereof as may be necessary to perform the duties imposed upon  
7 the State Department of Health by law.

8 SECTION 2. For the fiscal year ending June 30, 2009, the State  
9 Department of Health shall budget all funds in the following  
10 categories and amounts:

11	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
12	Support Services	\$0.00	\$0.00
13	Disease and Prevention		
14	Services	0.00	0.00
15	Family Health	0.00	0.00
16	Community Health		
17	Services	0.00	0.00
18	Protective Health		
19	Services	<u>0.00</u>	<u>0.00</u>
20	TOTAL	\$0.00	\$0.00

21 Receipt and expenditures of unanticipated federal funds awarded  
22 to the State Department of Health after July 1, 2008, shall be  
23 exempt from expenditure and budgetary limitations, provided that any  
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1 such funds used for operations shall be included in the agency's  
2 budget work program.

3 SECTION 3. The duties and compensation of employees, not  
4 otherwise prescribed by law, necessary to perform the duties imposed  
5 upon the State Department of Health by law shall be set by the State  
6 Commissioner of Health. The salary of the State Commissioner of  
7 Health shall not exceed \_\_\_\_\_ Dollars (\$0.00) per annum, payable  
8 monthly for the fiscal year ending June 30, 2009. The State  
9 Department of Health is authorized, provided that the Commissioner  
10 of Health possesses a Doctor of Medicine Degree or a Doctor of  
11 Osteopathy Degree and a license to practice medicine in this state,  
12 to pay the professional expenses of the Commissioner of Health,  
13 including dues, licenses, professional memberships, continuing  
14 medical education classes conducted in the State of Oklahoma, and  
15 medical malpractice insurance. The State Department of Health for  
16 the fiscal year ending June 30, 2009, shall be subject to the  
17 following budgetary limitations, except as may be authorized  
18 pursuant to the provisions of Section 3603 of Title 74 of the  
19 Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
20 Full-time-equivalent Employees	0.00
21 Lease-Purchase Agreements	\$0.00

22 SECTION 4. Of the \_\_\_\_\_ (\_\_\_) full-time-equivalent employees  
23 authorized in Section 3 of this act, \_\_\_\_\_ (\_\_\_) shall be  
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1 employed to provide services under the provisions of the Oklahoma  
2 Early Intervention Act.

3 SECTION 5. TRANSFER The State Department of Health shall  
4 transfer the sum of \_\_\_\_\_ Dollars (\$0.00) from the funds  
5 appropriated in Section 1 of this act to the Child Abuse Prevention  
6 Fund established pursuant to Section 1-227.8 of Title 63 of the  
7 Oklahoma Statutes, to be expended in accordance with law.

8 SECTION 6. TRANSFER The State Department of Health shall  
9 transfer the sum of \_\_\_\_\_ Dollars (\$0.00) from the funds  
10 appropriated in Section 1 of this act to the Dental Loan Repayment  
11 Revolving Fund established pursuant to Section 1-2714 of Title 63 of  
12 the Oklahoma Statutes, to be expended in accordance with law.

13 SECTION 7. TRANSFER The State Department of Health shall  
14 transfer the sum of \_\_\_\_\_ Dollars (\$0.00) from the funds  
15 appropriated in Section 1 of this act to the Kidney Health Revolving  
16 Fund established pursuant to Section 1-2603 of Title 63 of the  
17 Oklahoma Statutes, to be expended in accordance with law.

18 SECTION 8. TRANSFER The State Department of Health  
19 shall transfer the sum of \_\_\_\_\_ Dollars (\$0.00) from  
20 the funds appropriated in Section 1 of this act to the Alternatives-  
21 to-Abortion Services Revolving Fund established pursuant to Section  
22 1-740.12 of Title 63 of the Oklahoma Statutes, to be expended in  
23 accordance with law.

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1 SECTION 9. TRANSFER The State Department of Health shall  
2 transfer the sum of \_\_\_\_\_ Dollars (\$0.00) from the  
3 funds appropriated in Section 1 of this act to the Oklahoma  
4 Institute for Disaster and Emergency Medicine Revolving Fund  
5 established pursuant to Section 1-2523 of Title 63 of the Oklahoma  
6 Statutes, to be expended in accordance with law.

7 SECTION 10. From the funds appropriated to the State Department  
8 of Health in Section 1 of this act, the following categories and  
9 amounts shall be expended:

10	Contractual services of the Margaret	
11	Hudson Program for School Age Parents	\$0.00
12	Contractual services of the Emerson	
13	Teen Parent Program	0.00
14	Contractual services of the Oklahoma	
15	Institute for Child Advocacy	0.00
16	Contractual services of Dental for the	
17	Disabled and Elderly in Need of	
18	Treatment (D-DENT)	0.00
19	Contractual services of the Hearts for	
20	Hearing Foundation	0.00
21	Contractual services of the College of	
22	Osteopathic Medicine of Oklahoma	
23	State University for the Area Health	
24	Education Centers Campaign	0.00

1	Contractual services of the Sickle Cell	
2	Research Foundation, Incorporated	0.00
3	Contractual services of the Alzheimer's	
4	Association, Oklahoma Chapter	0.00
5	Contractual services of the University	
6	of Oklahoma Health Sciences Center,	
7	Department of Pathology	0.00
8	Contractual services of the Tolliver	
9	Alternative Care Center, Incorporated	0.00
10	Contractual services for the University	
11	of Oklahoma Health Sciences Center	
12	Pediatric Endocrinology Department	0.00
13	Contractual services of the Emergency	
14	Medical Services Authority for	
15	establishment and operation of a	
16	trauma transfer and referral center	0.00
17	Contractual services of the North Tulsa	
18	Heritage Foundation, Incorporated	0.00
19	Contractual services of the Metropolitan	
20	Tulsa Urban League, Incorporated	0.00
21	Contractual services of the Greenwood	
22	Educational and Cultural Center	0.00
23	Contractual services of the Oklahoma	
24	Dental Foundation	0.00

1	Contractual services of the University	
2	of Oklahoma College of Medicine -	
3	Tulsa	0.00
4	Contractual services of the College of	
5	Osteopathic Medicine of Oklahoma	
6	State University	0.00
7	Contractual services of the Oklahoma	
8	Economic Development Association	0.00
9	Contractual services of the Oklahoma	
10	State Board of Examiners for Long	
11	Term Care Administrators	<u>0.00</u>
12	TOTAL	\$0.00

13 SECTION 11. From the funds appropriated to the State Department  
14 of Health in Section 1 of this act, the amount of \_\_\_\_\_ Dollars  
15 (\$0.00) shall be used for providing perinatal, women's and  
16 children's services for low-income persons statewide.

17 Direct services for maternal and child  
18 health and to encourage early entry of  
19 high-risk clients into the health care  
20 system \$0.00

21 Contractual services with the Perinatal  
22 Continuing Education Program within the  
23 Department of Obstetrics and Gynecology of  
24

1 the University of Oklahoma College of

2 Medicine

\$0.00

3 SECTION 12. A. From the funds appropriated to the State

4 Department of Health in Section 1 of this act, \_\_\_\_\_ Dollars

5 (\$0.00) shall be expended in the following manner. It is the intent

6 of the Legislature that the amount of \_\_\_\_\_ Dollars (\$0.00) shall

7 be disbursed to community health centers (CHCs) authorized under

8 Section 330 of the Public Health Services Act deemed as Federally

9 Qualified Health Centers (FQHC), and incorporated in the State of

10 Oklahoma. Any disbursement shall be solely for the reimbursement of

11 uncompensated care costs associated with the delivery of primary

12 health care to uninsured patients as regulated by 42 CFR, Chapter 1,

13 Part 51c and all applicable current and future subparts and

14 sections. Any disbursement shall be supported by data contained

15 within the annually submitted Federal Uniform Data System Report and

16 supporting documentation as specified by the State Department of

17 Health within the contract. The methodology for disbursement shall

18 be developed by the Primary Care Office within the Community Health

19 Development Service of the State Department of Health with the

20 approval of the Commissioner of Health. The State Board of Health

21 is authorized to promulgate the methodology into rules. The amount

22 of \_\_\_\_\_ Dollars (\$0.00) shall be expended as follows: the State

23 Department of Health, Office of Primary Care and Rural Health

24 Development within the Community Health Development Service, for the

1 following purpose: Assist Oklahoma communities in the development  
2 and necessary technical assistance to assure the submission of  
3 Section 330 federal grant applications to establish new Federally  
4 Qualified Health Centers (FQHCs) and/or Federally Qualified Look-A-  
5 Like community health centers, as defined by 42 U.S.C., Section  
6 1396d(1)(2)(B) including:

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

10 2. Contracts to provide for grant development to assist  
11 communities in application submission for federal funding to  
12 establish and/or expand FQHC services; and

13 3. Contracts for specified technical assistance to Section 330  
14 federally granted FQHCs having received their initial federal awards  
15 after July 1, 2007; and

16 4. Contracts for operational support to community health  
17 centers having received FY-2007 state funds to establish FQHC Look-  
18 A-Like designation.

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

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1 C. The State Department of Health is authorized to utilize  
2 grant funds, donations and other funds made available to the  
3 Department for the purpose of establishing or expanding Federally  
4 Qualified Health Centers, to the extent funds are available.

5 SECTION 13. From the funds appropriated to the State Department  
6 of Health in Section 1 of this act, \_\_\_\_\_ Dollars (\$0.00)  
7 shall be expended by reimbursement contract to Eastern Oklahoma  
8 Donated Dental Services (EODDS). It is the intent of the  
9 Legislature that Eastern Oklahoma Donated Dental Services shall be  
10 the contracted provider of donated dental services in Tulsa and  
11 Rogers Counties.

12 SECTION 14. It is the intent of the Legislature that the  
13 Children First Program shall comply with the uniform components of  
14 the State Plan for the Prevention of Child Abuse. The State  
15 Department of Health shall contract with a university-related  
16 program for a performance-based evaluation of programs. Program  
17 sites shall fully cooperate and comply with the evaluation process  
18 and sites shall provide weekly caseload and referral information to  
19 the State Department of Health.

20 An annual progress and evaluation report on the Children First  
21 Program shall be delivered to the President Pro Tempore of the  
22 Senate, the Speaker of the House of Representatives and the  
23 Governor.

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1       SECTION 15. Appropriations made by this act, not including  
2 appropriations made for capital outlay purposes, may be budgeted for  
3 the fiscal year ending June 30, 2009 (hereafter FY-09) or may be  
4 budgeted for the fiscal year ending June 30, 2010 (hereafter FY-10).  
5 Funds budgeted for FY-09 may be encumbered only through June 30,  
6 2009, and must be expended by November 15, 2009. Any funds  
7 remaining after November 15, 2009, and not budgeted for FY-10, shall  
8 lapse to the credit of the proper fund for the then current fiscal  
9 year. Funds budgeted for FY-10 may be encumbered only through June  
10 30, 2010. Any funds remaining after November 15, 2010, shall lapse  
11 to the credit of the proper fund for the then current fiscal year.  
12 These appropriations may not be budgeted in both fiscal years  
13 simultaneously. Funds budgeted in FY-09, and not required to pay  
14 obligations for that fiscal year, may be budgeted for FY-10, after  
15 the agency to which the funds have been appropriated has prepared  
16 and submitted a budget work program revision removing these funds  
17 from the FY-09 budget work program and after such revision has been  
18 approved by the Office of State Finance.

19       SECTION 16. This act shall become effective July 1, 2008.

20       SECTION 17. It being immediately necessary for the preservation  
21 of the public peace, health and safety, an emergency is hereby  
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1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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4 51-2-15485 MN 12/27/07

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