

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT
4 RESOLUTION 1049

By: Reynolds

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7 AS INTRODUCED

8 A Joint Resolution relating to disapproving emergency
9 rules of the Oklahoma Health Care Authority; and
10 directing distribution.

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12 WHEREAS, pursuant to Sections 250.2, 253 and 308 of Title 75 of
13 the Oklahoma Statutes, the Legislature reserves the right to
14 designate the method for rule promulgation, establish policy,
15 approve, delay, suspend, veto, or amend the implementation of any
16 rule or proposed rule while under review by the Legislature,
17 determine that a rule is not consistent with legislative intent, and
18 suspend any rule or any portion thereof at any time; and

19 WHEREAS, pursuant to Sections 5007 and 5009 of Title 63 of the
20 Oklahoma Statutes, the Oklahoma Health Care Authority Board
21 promulgates rules as necessary to carry out the duties and
22 responsibilities of the Board under the Oklahoma Health Care
23 Authority Act and administers the Oklahoma Medicaid Program; and
24

1 WHEREAS, the Legislature recognizes that OAC 317:35-5-25, and
2 OAC 317:35-22-1 through OAC 317:35-22-11, which were adopted by the
3 Oklahoma Health Care Authority Board on an emergency basis on
4 October 11, 2007, and approved by the Governor on October 12, 2007,
5 in their current form, are not consistent with legislative intent
6 and the public policy of this state.

7 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
8 AND THE SENATE OF THE 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

9 SECTION 1. The Legislature hereby disapproves the following
10 emergency rules: OAC 317:35-5-25, OAC 317:35-22-1, OAC 317:35-22-2,
11 OAC 317:35-22-2.1, OAC 317:35-22-3, OAC 317:35-22-4, OAC 317:35-22-
12 5, OAC 317:35-22-6, OAC 317:35-22-7, OAC 317:35-22-8, OAC 317:35-22-
13 9, OAC 317:35-22-10, and OAC 317:35-22-11.

14 SECTION 2. The Secretary of State is directed to distribute
15 copies of this resolution to the Governor, the Administrator of the
16 Oklahoma Health Care Authority, and the editor of "The Oklahoma
17 Register".

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19 51-2-8308 ALA 01/10/08

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