

1 STATE OF OKLAHOMA

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

3 HOUSE CONCURRENT
4 RESOLUTION 1064

By: Wright and Terrill of the
House

5 and

6 Sykes of the Senate

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9 AS INTRODUCED

10 A Concurrent Resolution relating to rules of the
11 Oklahoma Health Care Authority; disapproving
12 permanent rules of the Oklahoma Health Care
13 Authority; and directing distribution.

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

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

3 WHEREAS, the Legislature recognizes that OAC 317:35-5-25, and
4 OAC 317:35-22-1 through OAC 317:35-22-11, which were adopted by the
5 Oklahoma Health Care Authority Board on February 14, 2008, in their
6 current form, may not be consistent with legislative intent and the
7 public policy of this state.

8 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
9 OF THE 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE, THE SENATE
10 CONCURRING THEREIN:

11 SECTION 1. The Legislature hereby disapproves the following
12 permanent rules: OAC 317:35-5-25, OAC 317:35-22-1, OAC 317:35-22-2,
13 OAC 317:35-22-2.1, OAC 317:35-22-3, OAC 317:35-22-4, OAC 317:35-22-
14 5, OAC 317:35-22-6, OAC 317:35-22-7, OAC 317:35-22-8, OAC 317:35-22-
15 9, OAC 317:35-22-10 and OAC 317:35-22-11.

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

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21 51-2-8374 ALA 03/17/08

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