

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1595

By: Nichols

4  
5  
6 AS INTRODUCED

7 An Act relating to public health and safety; Section  
8 1, Chapter 101, O.S.L. 2006 (63 O.S. Supp. 2007,  
9 Section 1-105f), which relates to the Office of  
10 Accountability Systems; authorizing the staff of the  
Office of Accountability Systems to perform certain  
duties; directing certain supervision; and providing  
an effective date.

11  
12  
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY Section 1, Chapter 101, O.S.L.  
15 2006 (63 O.S. Supp. 2007, Section 1-105f), is amended to read as  
16 follows:

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

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

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

6           3. Request assistance from other state, federal and local  
7 government agencies;

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

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

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

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

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

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

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

11 2. Report to and be under the direct supervision of the State  
12 Board of Health. Unless otherwise directed by the State Board of  
13 Health, the Director shall report to and be under the general  
14 supervision of the State Commissioner of Health, but shall not be  
15 subject to supervision or report to any other State Department of  
16 Health employee. Unless otherwise instructed by the State Board of  
17 Health, staff of the Office of Accountability Systems and  
18 independent contractors performing internal investigative services  
19 for the Office of Accountability Systems shall be directly  
20 supervised by the Director of the Office of Accountability Systems  
21 and not subject to the supervision of or required to report to any  
22 other State Department of Health employee. Neither the State  
23 Commissioner of Health nor any other employee of the State  
24 Department of Health shall prevent, prohibit, or obstruct the

1 Director from initiating, implementing or completing any  
2 investigation or from issuing any subpoena during the course of an  
3 investigation or audit regarding the State Department of Health; and

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

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

9  
10 51-2-2291 JM 1/22/2008 8:33:16 PM

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24