

1 ENGROSSED HOUSE
2 BILL NO. 2440

By: Miller and Martin (Scott)
of the House

3 and

4 Johnson (Mike) and Myers
5 of the Senate

6
7
8 (State Department of Health - appropriation -
9 effective date -

10 emergency)

11
12

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

14 SECTION 1. There is hereby appropriated to the State
15 Department of Health from any monies not otherwise appropriated from
16 the General Revenue Fund of the State Treasury for the fiscal year
17 ending June 30, 2011, the sum of _____ Dollars (\$0.00) or so
18 much thereof as may be necessary to perform the duties imposed upon
19 the State Department of Health by law.

20 SECTION 2. The State Department of Health is hereby authorized
21 to expend from the American Recovery and Reinvestment Act Fund ("490
22 Fund"), the sum of _____ Dollars (\$0.00) or so much thereof
23 as may be necessary to perform the duties imposed upon the State
24 Department of Health by law.

1 SECTION 3. For the fiscal year ending June 30, 2011, the State
2 Department of Health shall budget all funds in the following
3 categories and amounts:

4	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
5	Support Services	\$0.00	\$0.00
6	Disease and Prevention		
7	Services	0.00	0.00
8	Family Health	0.00	0.00
9	Community Health		
10	Services	0.00	0.00
11	Protective Health		
12	Services	<u>0.00</u>	<u>0.00</u>
13	TOTAL	\$0.00	\$0.00

14 Receipt and expenditures of unanticipated federal funds awarded
15 to the State Department of Health after July 1, 2010, shall be
16 exempt from expenditure and budgetary limitations, provided that any
17 such funds used for operations shall be included in the agency's
18 budget work program.

19 SECTION 4. The duties and compensation of employees, not
20 otherwise prescribed by law, necessary to perform the duties imposed
21 upon the State Department of Health by law shall be set by the State
22 Commissioner of Health. The salary of the State Commissioner of
23 Health shall not exceed _____ Dollars (\$0.00) per annum,
24 payable monthly for the fiscal year ending June 30, 2011. The State

1 Department of Health is authorized, provided that the Commissioner
2 of Health possesses a Doctor of Medicine Degree or a Doctor of
3 Osteopathy Degree and a license to practice medicine in this state,
4 to pay the professional expenses of the Commissioner of Health,
5 including dues, licenses, professional memberships, continuing
6 medical education classes conducted in the State of Oklahoma, and
7 medical malpractice insurance. The State Department of Health for
8 the fiscal year ending June 30, 2011, shall be subject to the
9 following budgetary limitations, except as may be authorized
10 pursuant to the provisions of Section 3603 of Title 74 of the
11 Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
12 Full-time-equivalent Employees	0.0
14 Lease-Purchase Agreements	\$0.00

15 SECTION 5. Of the _____ full-time-equivalent employees
16 authorized in Section 4 of this act, _____ shall be employed
17 to provide services under the provisions of the Oklahoma Early
18 Intervention Act.

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

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1 SECTION 7. TRANSFER The State Department of Health shall
2 transfer the sum of _____ Dollars (\$0.00) from the funds
3 appropriated in Section 1 of this act to the Dental Loan Repayment
4 Revolving Fund established pursuant to Section 1-2714 of Title 63 of
5 the Oklahoma Statutes, to be expended in accordance with law.

6 SECTION 8. TRANSFER The State Department of Health
7 shall transfer the sum of _____ Dollars (\$0.00) from the
8 funds appropriated in Section 1 of this act to the Kidney Health
9 Revolving Fund established pursuant to Section 1-2603 of Title 63 of
10 the Oklahoma Statutes, to be expended in accordance with law.

11 SECTION 9. TRANSFER The State Department of Health
12 shall transfer the sum of _____ Dollars (\$0.00) from the
13 funds appropriated in Section 1 of this act to the Alternatives-to-
14 Abortion Services Revolving Fund established pursuant to Section 1-
15 740.12 of Title 63 of the Oklahoma Statutes, to be expended in
16 accordance with law.

17 SECTION 10. TRANSFER The State Department of Health
18 shall transfer the sum of _____ Dollars (\$0.00) from the
19 funds appropriated in Section 1 of this act to the Oklahoma
20 Institute for Disaster and Emergency Medicine Revolving Fund
21 established pursuant to Section 1-2523 of Title 63 of the Oklahoma
22 Statutes, to be expended in accordance with law.

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1 SECTION 11. From the funds appropriated to the State Department
2 of Health in Section 1 of this act, the following categories and
3 amounts shall be expended:

4	Contractual services of the Oklahoma	
5	Institute for Child Advocacy	\$0.00
6	Contractual services of Dental for the	
7	Disabled and Elderly in Need of	
8	Treatment (D-DENT)	0.00
9	Contractual services of the Hearts for	
10	Hearing Foundation	0.00
11	Contractual services of the College of	
12	Osteopathic Medicine of Oklahoma	
13	State University for the Area Health	
14	Education Centers Campaign	0.00
15	Contractual services of the Alzheimer's	
16	Association, Oklahoma Chapter	0.00
17	Contractual services of the University	
18	of Oklahoma Health Sciences Center,	
19	Department of Pathology	0.00
20	Contractual services for the University	
21	of Oklahoma Health Sciences Center	
22	Pediatric Endocrinology Department	0.00
23	Contractual services of the North Tulsa	
24	Heritage Foundation, Incorporated	0.00

1	Contractual services of the Greenwood	
2	Educational and Cultural Center	0.00
3	Contractual services of the Oklahoma	
4	Dental Foundation	0.00
5	Contractual services of the College of	
6	Osteopathic Medicine of Oklahoma	
7	State University	<u>0.00</u>
8	TOTAL	\$0.00

9 SECTION 12. From the funds appropriated to the State Department
10 of Health in Section 1 of this act, the State Department of Health
11 shall, pursuant to the existing contract, continue contracted
12 services with Emergency Medical Services Authority (EMSA) for
13 operation of a trauma transfer and referral center. Prior to
14 completion, termination, or cancellation date of existing contract,
15 the State Department of Health may request competitive bids for such
16 service and award to successful bidder. Any funds remaining from
17 the Emergency Medical Services Authority (EMSA) contract shall be
18 transferred to the selected provider contract. The State Department
19 of Health shall work towards minimizing interruption of services
20 during any contract transitions.

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

1 Direct services for maternal and child
2 health and to encourage early entry of
3 high-risk clients into the health care
4 system \$0.00

5 Contractual services with the Perinatal
6 Continuing Education Program within the
7 Department of Obstetrics and Gynecology of
8 the University of Oklahoma College of
9 Medicine \$0.00

10 SECTION 14. A. From the funds appropriated to the State
11 Department of Health in Section 1 of this act, _____ Dollars
12 (\$0.00) shall be expended in the following manner. It is the intent
13 of the Legislature that the amount of _____ Dollars (\$0.00)
14 shall be disbursed to health centers authorized under Section 330 of
15 the Public Health Services Act, and incorporated in the State of
16 Oklahoma. Any disbursement shall be solely for the reimbursement of
17 uncompensated care costs associated with the delivery of primary
18 health care to uninsured patients as regulated by 42 CFR, Chapter 1,
19 Part 51c and all applicable current and future subparts and
20 sections. Any disbursement shall be supported by data contained
21 within the annually submitted Federal Uniform Data System Report and
22 supporting documentation as specified by the State Department of
23 Health within the contract. The methodology for disbursement shall
24 be developed by the Primary Care Office within the Community Health

1 Development Service of the State Department of Health with the
2 approval of the Commissioner of Health. The State Board of Health
3 is authorized to promulgate the methodology into rules. The amount
4 of _____ Dollars (\$0.00) shall be expended as follows: the
5 State Department of Health, Office of Primary Care and Rural Health
6 Development within the Community Health Development Service, for the
7 following purpose: Implement the Charitable Health Care Provider
8 Initiative as specified in Section 152.2 of Title 51 of the Oklahoma
9 Statutes; and contracts to assist with the continued expansion of
10 Section 330 health centers and/or organizations meeting the
11 requirements of Section 330 health centers and designated as
12 Federally Qualified Health Centers (FQHCs), as defined by 42 U.S.C.,
13 Section 1396d(1)(2)(B) including:

14 1. Contracts and related costs for the provision of Charitable
15 Health Care Providers, as defined under the provisions of Section
16 152.2 of Title 51 Of the Oklahoma Statutes;

17 2. Contracts to provide for community needs assessment,
18 strategic planning, and/or community development prior to Section
19 330 grant development or FQHC Look-Alike application development;

20 3. Contracts to provide for grant application development to
21 assist communities in application submission for federal funding or
22 FQHC Look-Alike application development in submission for FQHC Look-
23 Alike designation to establish and/or expand health center services;

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1 4. Contracts to assist Section 330 health centers in the
2 development of grant applications to increase the availability or
3 efficiency of health center services; or

4 5. Contracts for specified technical assistance to Section 330
5 federally granted health centers having received their initial
6 federal awards after July 1, 2009.

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

11 C. The State Department of Health is authorized to utilize
12 grant funds, donations and other funds made available to the
13 Department for the purpose of establishing or expanding Federally
14 Qualified Health Centers, to the extent funds are available.

15 SECTION 15. From the funds appropriated to the State Department
16 of Health in Section 1 of this act, _____ Dollars (\$0.00)
17 shall be expended by reimbursement contract to Eastern Oklahoma
18 Donated Dental Services (EODDS). It is the intent of the
19 Legislature that Eastern Oklahoma Donated Dental Services shall be
20 the contracted provider of donated dental services in Tulsa and
21 Rogers Counties.

22 SECTION 16. It is the intent of the Legislature that the
23 Children First Program shall comply with the uniform components of
24 the State Plan for the Prevention of Child Abuse. The State

1 Department of Health shall contract with a university-related
2 program for a performance-based evaluation of programs. Program
3 sites shall fully cooperate and comply with the evaluation process
4 and sites shall provide weekly caseload and referral information to
5 the State Department of Health.

6 An annual progress and evaluation report on the Children First
7 Program shall be delivered to the President Pro Tempore of the
8 Senate, the Speaker of the House of Representatives and the Governor.

9 SECTION 17. Appropriations made by this act, not including
10 appropriations made for capital outlay purposes, may be budgeted for
11 the fiscal year ending June 30, 2011 (hereafter FY-11) or may be
12 budgeted for the fiscal year ending June 30, 2012 (hereafter FY-12).
13 Funds budgeted for FY-11 may be encumbered only through June 30,
14 2011, and must be expended by November 15, 2011. Any funds
15 remaining after November 15, 2011, and not budgeted for FY-12, shall
16 lapse to the credit of the proper fund for the then current fiscal
17 year. Funds budgeted for FY-12 may be encumbered only through June
18 30, 2012. Any funds remaining after November 15, 2012, shall lapse
19 to the credit of the proper fund for the then current fiscal year.
20 These appropriations may not be budgeted in both fiscal years
21 simultaneously. Funds budgeted in FY-11, and not required to pay
22 obligations for that fiscal year, may be budgeted for FY-12, after
23 the agency to which the funds have been appropriated has prepared
24 and submitted a budget work program revision removing these funds

