

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE CONCURRENT
4 RESOLUTION 1016

By: Wright (John)

5
6 AS INTRODUCED

7 A Concurrent Resolution disapproving permanent rules
8 of the Oklahoma Health Care Authority; and directing
9 distribution.

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

18 WHEREAS, pursuant to Sections 5003 through 5016 of Title 63 of
19 the Oklahoma Statutes, the Oklahoma Health Care Authority Board
20 promulgates rules as necessary to carry out the duties and
21 responsibilities of the Board under the Oklahoma Health Care
22 Authority Act and administers the Oklahoma Medicaid Program; and

23 WHEREAS, the Legislature recognizes that OAC 317:35-5-
24 25(a) (2) (A) (x) and 317:35-5-25(a) (2) (A) (xi), which were adopted by

1 the Oklahoma Health Care Authority Board on March 12, 2009, in their
2 current form, may not be consistent with legislative intent and the
3 public policy of this state.

4 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
5 OF THE 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE, THE SENATE
6 CONCURRING THEREIN:

7 SECTION 1. The Legislature hereby disapproves permanent rules
8 OAC 317:35-5-25(a)(2)(A)(x) and 317:35-5-25(a)(2)(A)(xi).

9 SECTION 2. The Secretary of State is directed to distribute
10 copies of this resolution to the Governor, the Administrator of the
11 Oklahoma Health Care Authority, and the editor of "The Oklahoma
12 Register".

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14 52-1-7457 ALA 03/25/09

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