

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT
4 RESOLUTION 1051

By: Ritze

5
6 AS INTRODUCED

7 A Joint Resolution disapproving permanent rule of the
8 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, determine that a
14 rule is not consistent with legislative intent and disapprove any
15 rule or portion thereof at any time; and

16 WHEREAS, pursuant to Section 5007 of Title 63 of the Oklahoma
17 Statutes, the Oklahoma Health Care Authority Board shall be
18 responsible for adopting and promulgating rules as necessary and
19 appropriate to carry out the duties and responsibilities of the
20 Oklahoma Health Care Authority; and

21 WHEREAS, the promulgation of permanent rule OAC 317:40-1-
22 1(j)(12), which was finally adopted by the Commission on March 12,
23 2009, does not reflect the intent of the Oklahoma Legislature.

1 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
2 AND THE SENATE OF THE 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

3 SECTION 1. The Legislature hereby disapproves permanent rule
4 OAC 317:40-1-1(j) (12) .

5 SECTION 2. The Secretary of State is directed to distribute
6 copies of this resolution to the Governor, the Administrator of the
7 Oklahoma Health Care Authority, and the editor of "The Oklahoma
8 Register" .

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