An Act

ENROLLED HOUSE
BILL NO. 2305

By: Martin (Scott) and Newell of the House

and

Jolley and Justice of the Senate

An Act relating to the Oklahoma Health Care Authority; providing for duties and compensation of employees; authorizing payment of certain expenses; requiring compliance with and providing budgetary limitations; requiring budgeting and expenditure for certain services; providing exemptions to budgetary limitations; providing process for exemptions; authorizing certain transfers; providing procedures; providing lapse dates; requiring and prohibiting certain budget procedures; providing an effective date; and declaring an emergency.

SUBJECT: Oklahoma Health Care Authority

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

SECTION 1. A. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Oklahoma Health Care Authority by law shall be set by the Administrator of the Oklahoma Health Care Authority.

B. The Oklahoma Health Care Authority is authorized to:

1. Pay professional expenses of the Administrator of the Authority, including dues, licenses, professional memberships, and continuing education classes conducted in the State of Oklahoma; and

2. Pay professional expenses of any Oklahoma licensed physician, including dues, licenses, professional memberships, continuing medical education classes conducted in the State of Oklahoma, and medical malpractice insurance, provided the physician is a full-time employee of the Authority in accordance with subsection B of Section 5006 of Title 63 of the Oklahoma Statutes or paragraph 1 of subsection B of Section 840-5.5 of Title 74 of the Oklahoma Statutes and utilizing those professional skills in the performance of their job duties.

SECTION 2. For the fiscal year ending June 30, 2014, the Oklahoma Health Care Authority shall budget all funds in the following categories and amounts:

Category	Appropriation	Total
Operations	$ 19,836,072.00	$ 54,467,643.00
Medicaid Payments	907,385,437.00	5,105,236,245.00
OSA Non-Title XIX Medical	0.00	20,309,710.00
Rehabilitation Services	0.00	50,000.00
Juvenile Affairs Services	0.00	1,300,000.00
DMH Non-Medicaid Expenditures	0.00	80,000,000.00
Medicaid Contracted Services	15,149,098.00	57,638,091.00
Premium Assistance Program	0.00	127,438,420.00
Grants Management	168,204.00	34,406,210.00
ISD Information Services	11,162,463.00	103,967,938.00
TOTAL	$953,701,274.00	$5,584,814,257.00

SECTION 3. In order to facilitate cash management of federal grant receipts and disbursements, the Office of Management and Enterprise Services shall transfer monies between the Oklahoma Health Care Authority federal and revolving funds in amounts requested by the Oklahoma Health Care Authority.

SECTION 4. The Oklahoma Health Care Authority is authorized to transfer funds from Fund 205 to Fund 340 in quarterly installments to satisfy claims made to the Authority under the Supplemental Hospital Offset Payment Program Act.

SECTION 5. A. The Administrator of the Oklahoma Health Care Authority may request in the manner provided in this section that receipt and expenditure of unanticipated federal funds awarded after July 1, 2013, be exempt from expenditure limitations and from budgetary limitations.

1. The Administrator shall make a request for exemption to the Office of Management and Enterprise Services in writing and file a revised budget program.

2. The Administrator shall also file copies of the request for exemption and budget work program revisions with the Oklahoma House of Representatives Appropriations and Budget Committee Chair and the Oklahoma State Senate Appropriations Committee Chair. The Oklahoma House of Representatives Appropriations and Budget Committee Chair and/or the Oklahoma State Senate Appropriations Committee Chair shall notify the Office of Management and Enterprise Services of any noncompliance of the request with legislative intent within twelve (12) calendar days of their receipt of the exemption request.

B. The Office of Management and Enterprise Services shall approve the request for exemption unless both the Chair and Vice Chair of the Joint Legislative Committee on Budget and Program Oversight provide written notification to the Office of Management and Enterprise Services within twelve (12) calendar days of the Committee's receipt of the exemption request that the exemption subverts the intention and objectives of the Legislature in establishing the original limit. The Office of Management and Enterprise Services shall give written notice of approval or disapproval of each exemption to the agency, the Governor and the Chair of the Oklahoma House of Representatives Appropriations and Budget Committee and the Chair of the Oklahoma State Senate Appropriations Committee within eighteen (18) calendar days of receiving the request.

SECTION 6. The Office of Management and Enterprise Services shall transfer monies appropriated from the General Revenue Fund and the 245 Fund to the Oklahoma Health Care Authority disbursing funds in the amounts and ratios requested by the Authority except that the cumulative amount transferred shall not exceed the cumulative amount of equal monthly allotments of the appropriation from the General Revenue Fund. Monies appropriated or collected for the fiscal year ending June 30, 2014, may be transferred to these disbursing funds for the fiscal year ending June 30, 2013, to satisfy encumbrances and obligations of said fiscal year; provided, that monies equal in amount are transferred from appropriations or collections for the fiscal year ending June 30, 2013, to the disbursing fund for the fiscal year ending June 30, 2014, to satisfy encumbrances and obligations of said fiscal year. All transfer requests shall be in writing to the Office of Management and Enterprise Services. The Oklahoma Health Care Authority shall maintain record of the inter-year transfers.

SECTION 7. The Administrator of the Oklahoma Health Care Authority may request through the Director of the Office of Management and Enterprise Services the early transfer by the Oklahoma Tax Commission of tax collections to the General Revenue Fund for the purpose of early allocation to the agency's disbursing funds to alleviate cash-flow problems.

SECTION 8. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2014 (hereafter FY-14) or may be budgeted for the fiscal year ending June 30, 2015 (hereafter FY-15). Funds budgeted for FY-14 may be encumbered only through June 30, 2014, and must be expended by November 15, 2014. Any funds remaining after November 15, 2014, and not budgeted for FY-15, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-15 may be encumbered only through June 30, 2015. Any funds remaining after November 15, 2015, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-14, and not required to pay obligations for that fiscal year, may be budgeted for FY-15, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-14 budget work program and after such revision has been approved by the Office of Management and Enterprise Services.

SECTION 9. This act shall become effective July 1, 2013.

SECTION 10. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 15th day of May, 2013.

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Presiding Officer of the House
of Representatives

Passed the Senate the 20th day of May, 2013.

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Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

_____
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20 _____, at _____ o'clock _____ M.

By: _____