

1 **SENATE FLOOR VERSION**

2 February 20, 2013

3 **AS AMENDED**

4 SENATE BILL NO. 578

5 By: Crain of the Senate

6 and

7 Cox of the House

8 [public health - creating the Oklahoma Department of
9 Health Civil Monetary Penalty Revolving Fund -
10 codification - effective date]

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 1-107.4 of Title 63, unless
15 there is created a duplication in numbering, reads as follows:

16 A. There is hereby created in the State Treasury a fund for the
17 Oklahoma Department of Health to be designated the "Oklahoma
18 Department of Health Civil Monetary Penalty Revolving Fund". The
19 fund shall be a continuing fund, not subject to fiscal year
20 limitations. It shall consist of monies received by the Oklahoma
21 Department of Health which emanate from fines and assessments
22 against Oklahoma Nursing Homes and other Long-term and Non-Long-term
23 care facilities found to be noncompliant with Federal conditions of
24 participation.

1 B. All monies accruing to the credit of the fund are hereby
2 appropriated and may be budgeted and expended by the Oklahoma
3 Department of Health at the discretion of the Commissioner of Health
4 for the protection of the health or property of residents of nursing
5 facilities.

6 C. All expenditures shall be in compliance with requirements of
7 the Centers for Medicare and Medicaid Services. Expenditures from
8 the fund shall be made upon warrants issued by the State Treasurer
9 against claims filed as prescribed by law with the Director of
10 Management and Enterprise Services for approval and payment.

11 D. The Commissioner of Health may request the Director of the
12 Office of Management and Enterprise Services to transfer monies
13 between the Oklahoma Department of Health Civil Monetary Penalty
14 Revolving Fund and any other fund of the department, as needed for
15 the proper expenditure of funds.

16 SECTION 2. This act shall become effective November 1, 2013.

17 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
18 February 20, 2013 - DO PASS AS AMENDED

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