

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 2305

By: Martin (Scott) and Newell  
of the House

4 and

5 Jolley and Justice of the  
6 Senate

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9  
10 AS INTRODUCED

11 An Act relating to the Oklahoma Health Care  
12 Authority; making an appropriation to the Oklahoma  
13 Health Care Authority; stating purpose; providing for  
14 duties and compensation of employees; authorizing  
15 payment of certain expenses; requiring compliance  
16 with and providing budgetary limitations; requiring  
17 budgeting and expenditure for certain services;  
18 providing exemptions to budgetary limitations;  
19 providing process for exemptions; authorizing certain  
20 transfers; providing procedures; providing lapse  
21 dates; requiring and prohibiting certain budget  
22 procedures; providing an effective date.

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

24 SECTION 1. There is hereby appropriated to the Oklahoma Health  
Care Authority from any monies not otherwise appropriated from the  
General Revenue Fund of the State Treasury for the fiscal year  
ending June 30, 2014, the sum of \_\_\_\_\_ Dollars (\$0.00) or so

1 much thereof as may be necessary to perform the duties imposed upon  
2 the Oklahoma Health Care Authority.

3 SECTION 2. A. The duties and compensation of employees, not  
4 otherwise prescribed by law, necessary to perform the duties imposed  
5 upon the Oklahoma Health Care Authority by law shall be set by the  
6 Administrator of the Oklahoma Health Care Authority.

7 B. The Oklahoma Health Care Authority is authorized to:

8 1. Pay professional expenses of the Administrator of the  
9 Authority, including dues, licenses, professional memberships,  
10 continuing medical education classes conducted in the State of  
11 Oklahoma, and medical malpractice insurance; and

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

21 C. The Oklahoma Health Care Authority for the fiscal year  
22 ending June 30, 2014, shall be subject to the following budgetary  
23 limitations, except as may be authorized pursuant to the provisions  
24 of Section 3603 of Title 74 of the Oklahoma Statutes:

1	<u>Budgetary Limitation</u>	<u>Amount</u>
2	Full-time-equivalent Employees	0.0
3	Lease-Purchase Agreements	\$0.00

4 Full-Time equivalent employees solely paid by grant funds will  
5 not count against the agency's budgetary limitations as specified in  
6 this section.

7 SECTION 3. For the fiscal year ending June 30, 2014, the  
8 Oklahoma Health Care Authority shall budget all funds in the  
9 following categories and amounts:

10	<u>Category</u>	<u>Appropriation</u>	<u>Total</u>
11	Operations	\$0.00	\$0.00
12	Medicaid Payments	0.00	0.00
13	Medicaid Contracted Services	0.00	0.00
14	Premium Assistance Program	0.00	0.00
15	Rehabilitation Services	0.00	0.00
16	OSA Non-Title-XIX Medical	0.00	0.00
17	Grants management	0.00	0.00
18	Non-Title-XIX Medical	<u>0.00</u>	<u>0.00</u>
19	TOTAL	\$0.00	\$0.00

20 SECTION 4. In order to facilitate cash management of federal  
21 grant receipts and disbursements, the Office of Management and  
22 Enterprise Services shall transfer monies between the Oklahoma  
23 Health Care Authority federal and revolving funds in amounts  
24 requested by the Oklahoma Health Care Authority.

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

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

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

18 B. The Office of Management and Enterprise Services shall  
19 approve the request for exemption unless both the Chair and Vice  
20 Chair of the Joint Legislative Committee on Budget and Program  
21 Oversight provide written notification to the Office of Management  
22 and Enterprise Services within twelve (12) calendar days of the  
23 Committee's receipt of the exemption request that the exemption  
24 subverts the intention and objectives of the Legislature in

1 establishing the original limit. The Office of Management and  
2 Enterprise Services shall give written notice of approval or  
3 disapproval of each exemption to the agency, the Governor and the  
4 Chair of the Oklahoma House of Representatives Appropriations and  
5 Budget Committee and the Chair of the Oklahoma State Senate  
6 Appropriations Committee within eighteen (18) calendar days of  
7 receiving the request.

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

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

7 SECTION 8. Appropriations made by this act, not including  
8 appropriations made for capital outlay purposes, may be budgeted for  
9 the fiscal year ending June 30, 2014 (hereafter FY-14) or may be  
10 budgeted for the fiscal year ending June 30, 2015 (hereafter FY-15).  
11 Funds budgeted for FY-14 may be encumbered only through June 30,  
12 2014, and must be expended by November 15, 2014. Any funds  
13 remaining after November 15, 2014, and not budgeted for FY-15, shall  
14 lapse to the credit of the proper fund for the then current fiscal  
15 year. Funds budgeted for FY-15 may be encumbered only through June  
16 30, 2015. Any funds remaining after November 15, 2015, shall lapse  
17 to the credit of the proper fund for the then current fiscal year.  
18 These appropriations may not be budgeted in both fiscal years  
19 simultaneously. Funds budgeted in FY-14, and not required to pay  
20 obligations for that fiscal year, may be budgeted for FY-15, after  
21 the agency to which the funds have been appropriated has prepared  
22 and submitted a budget work program revision removing these funds  
23 from the FY-14 budget work program and after such revision has been  
24 approved by the Office of Management and Enterprise Services.

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

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