STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

SENATE BILL 858 By: Jolley and Treat of the Senate

and

Sears and Casey of the House

AS INTRODUCED

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; and providing an effective date.

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, continuing medical education classes conducted in the State of Oklahoma, and medical malpractice insurance; 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.

C. The Oklahoma Health Care Authority for the fiscal year ending June 30, 2016, shall be subject to the following budgetary limitations, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

| Budgetary Limitation | Amount |
|---|---|
| Full-Time-Equivalent Employees | 0.0 |
| Lease-Purchase Agreements | $0.00 |

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

SECTION 2. For the fiscal year ending June 30, 2016, the Oklahoma Health Care Authority shall budget all funds in the following categories and amounts:

| Category | Appropriation | Total |
|---|---|---|
| Operations | $0.00 | $0.00 |
| Medicaid Payments | 0.00 | 0.00 |
| Medicaid Contracted Services | 0.00 | 0.00 |
| Premium Assistance Program | 0.00 | 0.00 |
| Rehabilitation Services | 0.00 | 0.00 |
| OSA Non-Title-XIX Medical | 0.00 | 0.00 |
| Grants management | 0.00 | 0.00 |
| Non-Title-XIX Medical | 0.00 | 0.00 |
| TOTAL | $0.00 | $0.00 |

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. 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, 2015, 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 5. The Office of Management and Enterprise Services shall transfer monies appropriated from the General Revenue 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, 2016, may be transferred to these disbursing funds for the fiscal year ending June 30, 2015, 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, 2015, to the disbursing fund for the fiscal year ending June 30, 2016, 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 records of the inter-year transfers.

SECTION 6. The Administrator of the Oklahoma Health Care Authority may request through 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 7. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2016 (hereafter FY-16) or may be budgeted for the fiscal year ending June 30, 2017 (hereafter FY-17). Funds budgeted for FY-15 may be encumbered only through June 30, 2016, and must be expended by November 15, 2016. Any funds remaining after November 15, 2016, and not budgeted for FY-17, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-17 may be encumbered only through June 30, 2017. Any funds remaining after November 15, 2017, 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-17, and not required to pay obligations for that fiscal year, may be budgeted for FY-17, 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-16 budget work program and after such revision has been approved by the Office of Management and Enterprise Services.

SECTION 8. This act shall become effective September 1, 2015.

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