

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE JOINT
4 RESOLUTION 19

By: Crain

5
6 AS INTRODUCED

7 A Joint Resolution relating to permanent rules of the
8 Oklahoma Health Care Authority; disapproving certain
9 amendments to OAC 317:30-5-241.2, which relates to
10 psychotherapy; disapproving certain amendments to OAC
11 317:30-5-241.3, which relates to Behavioral Health
12 Rehabilitation Services; directing the Oklahoma
13 Health Care Authority to promulgate certain rules;
14 providing for distribution; and declaring an
15 emergency.

16 WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the
17 Oklahoma Statutes, the Legislature reserves the right to designate
18 the method of rule promulgation, establish policy, determine that a
19 rule is not consistent with legislative intent and disapprove any
20 rule or any portion thereof at any time; and

21 WHEREAS, on June 26, 2014, the Oklahoma Health Care Authority
22 Board adopted amendments to permanent rule OAC 317:30-5-241.2, which
23 relates to psychotherapy, and permanent rule OAC 317:30-5-241.3,
24 which relates to Behavioral Health Rehabilitation Services; and

1 WHEREAS, the Legislature recognizes that the amendments to the
2 permanent rules are not consistent with legislative intent and
3 violate public policy.

4 NOW THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF
5 REPRESENTATIVES OF THE 1ST SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

6 SECTION 1. The Legislature hereby disapproves the emergency
7 amendments to OAC 317:30-5-241.2 and OAC 317:30-5-241.3 adopted by
8 the Oklahoma Health Care Authority Board on June 26, 2014.

9 SECTION 2. The Legislature hereby directs the Oklahoma Health
10 Care Authority Board to immediately promulgate emergency rules,
11 pursuant to the Oklahoma Administrative Procedures Act, removing
12 amendments made on June 26, 2014, to OAC 317:30-5-241.2 and OAC
13 317:30-5-241.3.

14 SECTION 3. The Secretary of State is hereby directed to
15 distribute copies of this resolution to the Governor, the Oklahoma
16 Health Care Authority Board and the Editor of "The Oklahoma
17 Register".

18 SECTION 4. It being immediately necessary for the preservation
19 of the public peace, health and safety, an emergency is hereby
20 declared to exist, by reason whereof this resolution shall take
21 effect and be in full force from and after its passage and approval.

22
23 55-1-4

JAM

2/18/2016 7:16:44 PM